

**ICANN**

**Moderator: Chantelle Doerksen**  
**May 24, 2018**  
**10:00 am CT**

Chantelle Doerksen: Good morning, good afternoon, good evening. Welcome to the BC members call on Thursday, May 24, 2018. In the interest of time, attendance will be taken via the phone bridge and the Zoom room. I'd like to remind all participants to please state your name before speaking for the transcript. With that, I would like to remind everyone to also mute your microphone when not speaking to avoid any background noise. With this, I will turn it over to Steve DelBianco to begin. Steve, please go ahead.

Steve DelBianco: Thank you, Chantelle. The agenda is displayed on the screen and I'll change that to show the policy calendar. I circulated one on Tuesday and another one yesterday, updated.

If anyone needs to receive that, just texted into the Zoom chat group and Chantelle can resend the policy calendar. I have two items to update you on since our last call and those are two comments we filed on the 11th of May.

We sent a letter to the ICANN board regarding their pending vote on the ICANN org proposed temporary specification which is the implementation of the calzone model for WHOIS under GDPR.

A big shout out to Denise and Margie from Facebook. Mason Cole helps with the drafting and so did Tim Chen. And we felt like that was a very specific

letter calling out things that the board should consider and evaluate the modifications they made to the temporary spec before they approved it.

I'm going to deal with the temporary spec specifically at the end of this first channel of the policy calendar, so we'll get around to that in a moment. On the 10th of May, we filed a very brief comment on the recommendations of the community's cross community working group on accountability for workstream two.

We were tasked to determine whether any inconsistencies existed between the recommendations and we concluded that we did not see any. We also said that the Workstream two recommendations should be delivered to the chartering organizations of which the GNSO this one so that we could decide whether to approve that package recommendations for workstream two.

Let me quickly then move on to the current open public comments for ICANN. We have five that are open and only a few of which deserve quick attention. The first is, ICANN's customer standing committee, and this is the customers of the IANA unique identifier's functions, those customers have a charter for their standing committee.

And this is part of what we created after the IANA transition so that we could replace the role of the US Commerce Department. So, the customer standing committee charter itself had a few recommended minor changes, mostly regarding the remedial action procedures.

I want to do a big thank you to Gabi Szlak, who's on the phone today. Gabi drafted a BC comment and it's the first attachment to today's policy calendar.

I believe that Marie came back with some edits to that. But this would be a great opportunity to understand whether the rest of the BC members have any comments.

This one closes on the 7th of June, just eight days from now. So, I'll take a queue or, Gabi, I'll allow you to talk us through what's in your comment. I'd be happy to display it if that would be helpful. Gabi.

Gabriela Szlak: Hello. Can you hear me? I was muted. Sorry. I just had a brief comment because (Tara) was amending, taking the information that was developed by the review team.

And I just wanted to - most of the things that the review team said okay. They just said something - I think the most important part of it is the remedial actions procedures and they decided to keep that out of the charter and put it as an operational document.

But apart from that, they decided that some small thing should be in the charter regarding these remedial action procedures. But I didn't see that those decisions were reflected.

And the review team said that these remedial drafts - we'll call it drafts - should also bring some information about - in the charter about how they would be amended and also - I mean, the operation of - yes...

Gabriela Szlak: So, yes, we agreed. Yes, sorry. Sorry. No, I was looking at what was there. That's why I just was breathing. So, there are two things that I just wanted to mention.

So, one is that there is no provision for a regular review of this draft including the amended charter and this is something that the review team really recommended.

And also, it was something about they were planning to include in the charter that, in the case of a new IANA function operator, the new operators should also be in agreement with these reduced drafts.

So, I don't think these comments include commencing in particular the drafts themselves, but only the amended charter. So I didn't (unintelligible), but at least I wanted that the charter mentioned these two things that were not included.

Not sure why. Maybe they just forgot about it. But they should be in the charter as far as I understand. So, that's...

Steve DelBianco: That's great, Gabi. Very much appreciate it. So I have it on the screen. Are there any other PC members who wish to offer, and now remembering you have another seven days to offer it?

All right, fantastic. Thank you. I'm not going to move to the next item which is the - I'm bringing that up here. Do a new share. I'm slowly figuring out how to use Zoom and just when I figure it out, they're going to change back to Adobe the way things work.

All right, the second item is a draft final report of the root server system advisory committee. We call it the RSSAC. When they had a review. These are one of these typical five year interval reviews that are required by the ICANN board of each of the ACs and SOs where they get an outside expert to come in and do the review.

And for this, the board has selected inter-aisle consulting. We all worked with them on the domain name collisions study several years ago. Now, the recommendations are for the RSSAC to be a lot more evident and transparent with the rest of the community.

And now that this rings true with the folks on the call today because I'll bet very few of you even knew we had an RSSAC, of root server system advisory committee.

I wanted to thank Jimson for drafting of the fee comment. I'll do that now and share that on the screen. It's not due until the 20th of June, so we have plenty of time – sorry, the 10th of June, so we do have plenty of time on that.

But this will be an opportunity to ask any questions of Jimson. So, that's working, the next occurrence screen, the draft BC comment. Jimson has come up with a very brief comment or we agree with the recommendations and endorsed the idea that they have to reengage transparency and accountability to the broader community.

Root server system, by the way, would be a prime target of any nefarious actor that wanted to mess with our domain name system. Since the root servers are distributed that they are not uniformly robust and their ability to withstand a denial of service attack.

And it would have a regional effect for ISPs in a region that rely up on a given root server. So it's certainly important and could be a vulnerable part of the DNS if we don't give it more attention.

But in this case, it's really about a review of the way they conduct their business and their charter. Any questions for Jimson as the drafter of this comment?

Okay, hearing none then, I'll go back to the policy calendar. And item three and four and five - won't take very long on this, but item three is something the BC has followed for well over a decade, this notion of single letter second-level domains and specifically, in this case, in the coms space.

Overstock had been, for many years, an active member of the BC. They're a member of Net Choice. They're also very active in multiple organizations that are active around ICANN.

And Overstock had been the primary driver trying to get O.com released. Now, Overstock realizes they have no assurance they may be the winner of the auction.

But the point was to get ICANN to release the second-level domain. VeriSign was interested in doing so and has come up with a proposal that, interestingly says that the option of the O.com domain, that all those proceeds would go to a similar auction proceeds disposition process and hopefully is one that we could say we piggyback on the new gTLD auction proceeds process.

And Overstock would potentially have an opportunity to win that, but under no circumstances do we have any idea who is going to win that auction. VeriSign would receive only the \$8 or \$9 per year that it gets for any second-level domain.

So, I need a volunteer from the BC to draft a comment on this new proposal for a second-level single character domain. Looking for a hand. This one is due on the 20th of June.

It will not be a very long comment but it would be helpful if someone who is active on the auction proceeds group would join since we can piggyback on the discussions we're having there.

That would be Tola, Lawrence, Marilyn Cade. Any of you on the call? All right, hearing none, I'll move on to the two others. Numbers four and five don't close until July, so I don't need to get into too much detail.

But this is something we've discussed many times before, is that we are suffering from about nine of these reviews that have to be done in the next 12 months.

It's an unfortunate accident of timing that so many of the reviews are happening at the same time and there's an interest in part of the community and ICANN staff and board to generate some flexibility for the timing of when the reviews occur without giving up the application that the reviews do occur.

And we're speaking of two different kinds of reviews. There are four specific reviews that used to be in the affirmation of commitments that the BC helped to bring into the ICANN bylaws - the security stability and resiliency review.

That's SSR2, we like to call it, where Denise Michel is this chair. The accountability and transparency review that's going on, the WHOIS review, where Susan Kawaguchi is leading.

And finally, the new gTLD review which is nearly complete. So those reviews occur at different times, as well as every five years, each of the ACs and SOs gets the board mandated review of its effectiveness, its structure and its processes.

So, for us, for instance, the upcoming GNSO review is our opportunity to change the way the BC is represented and the power we get on various ICANN decision-making.

Those two comments are due the 6th of July and then the 20th of July. Is there anyone on the phone it would be willing to help draft a BC comment on these two reviews timings issues?

Susan, I'll note you're on a call and your hand is up. I hope you can comment on this. Go ahead.

Susan Kawaguchi: Yes, I just want to give you some background information on how this would impact the RDS review team. The review team was surprised by this action because RDS review is included and there were three options given in this document pertaining directly to the RDS, basically, you know, do nothing, redefine the scope or just suspend basically.

They didn't use suspend as the vocabulary, but that's what the intent was. The RDS review team is working on the draft report right now. I mean, we are, you know, hoping by - we have another face-to-face in July and we are hoping to have a draft report out.

So, we thought it was silly, to put it mildly, to include this review in the - in this comment. And also some of the wording around the RDS was not accurate.

So, we've asked the MSSSI to correct the errors and the state things or to remove the RDS from the public comment process completely. So, we should know exactly what's going to happen by next week.

Steve DelBianco: That's really helpful. Thank you, Susan. I'm going to note that I wrote the word WHOIS reviewing the policy calendar. And you're using the right term. It's really the RDS registrant directory services, so my bad.

Susan Kawaguchi: Right.

Steve DelBianco: Susan, I won't put you down as the drafter of our comments especially because you have a leadership role in the RDS review, but will associate your name with this one so that we check with you before the BC puts in a comment to ensure that we've addressed this question about whether we're going to interfere with the ongoing review like this. Okay?

Susan Kawaguchi: Right. I do think there's a bigger question here, is why ICANN org is, again, trying to stop an independent review. I think we've got bigger problems than timing. So, you know, it's a separate problem. But, we can figure that out in the comments.

Steve DelBianco: Excellent. I don't see any other and thought but it would be great time to get a hand from somebody volunteering.

((Crosstalk))

Steve DelBianco: Okay, I have Barbara and then Denise.

Denise Michel: Please have Barbara go first. And I'm sorry, I'm just on the phone, so I'll go in the queue.

Steve DelBianco: Barbara.

Barbara Wanner: No, I'm offering to help with the comments on the longer-term review since it will affect the GNSO.

Steve DelBianco: Perfect, Barbara. Thank you very much. Denise?

Denise Michel: Thank you, Steve. I just wanted to underscore can't agree with Susan's comments as one of the cochairs of the security and stability review that the board unilaterally suspended and with the staff driven questioning of these reviews and a surprising suggestion perhaps that the RDS review be suspended in mid-work leaves a very concerning pattern of board and staff disregard for the - in particular, the bylaw mandated reviews.

I think it's important in these comments to address these two types of reviews as they are very different types of reviews, as you indicated, treat them differently in the comments and, you know, make sure that the BC strongly underscores the commitment that ICANN made during the IANA transition to ensure that these community driven reviews on the whole critical overarching areas of responsibility within ICANN (unintelligible) need to be reviewed by the community.

I think there's a lot of (unintelligible) discussion and potential future changes that can be made on - with regard to the numerous reviews of ICANN structures.

But I think it's important, as you can see - Susan is on the RDS review. I'm on the security review. This is - these types of reviews, accountability reviews, are something that the BC has long been championing.

Of course, Steve, you helped get this language and the IANA transition and are involved in quite deeply. So I think these will be important comments for the business constituency. And I'm happy to help if someone else can help (attend). Thanks.

Steve DelBianco: Thank you, Denise. Appreciate that. Any other comments on these last two items in the channel one? All right, so let me move on to issue that - issue number one I would call it, which is ICANN's modifications to WHOIS policy that it believes are necessary to comply with GDPR.

Lastly, 17 of May, ICANN's board approved a new temporary specification. We'll call that the temp spec - for gTLD registration data. Your BC members from a variety of places have been working awfully hard pushing on an accreditation model as a complement to the notion of taking registrant name and email address out of the publicly available WHOIS.

A lot of you have contributed significantly to that effort and I think the BC's efforts helped to make a difference. We also joined our colleagues in the IPC on a call last Thursday to try to convince the court that there were other elements, even unrelated to accreditation model.

There are other elements that the temporary spec where the board should definitely modify the temp spec that was given to them by ICANN org to accommodate situations like privacy and proxy and URS and UDRP.

I can report that there were only a few areas where the board took steps to marginally improve the temp spec. That's on the screen in front of you cat within the policy calendar.

We were glad to see that the RDAP, or the registration data access protocol, must be implemented by registries by the end of July. And RDAP would be an automated way of accessing whatever fields are available in WHOIS through an accredited access method.

So this would replace the port 43 eventually in a way that the accreditation and purposes can be appropriately assessed before the electronic return of the WHOIS fields, and that would be all WHOIS fields including the nonpublic. Susan, your hand is up. Is that on this topic?

Susan Kawaguchi: It is. I just have some comments from the council meeting last night that pertains just to this so I can - I can wait until you're finished.

Steve DelBianco: Got it. All right, thank you, Susan. I'll put that in the queue as soon as I read through this really quickly. We made sure that we reiterated that port 43 access, since it's in the registrar accreditation agreement - registry agreements today, that it has to still be maintained, although we know it will not show all fields.

And there's been some chatter on the BC list and other places where some of the registrars need to be reminded that they can't shut down port 43. That is still required under their contracts to keep that alive in a post-GDPR world.

Keep in mind, that when you do a WHOIS space domain name, that you may not get all the fields that you're used to getting. It's just that the service has to stay up.

We were glad to see that privacy and proxy services will continue publishing the full contact information. It's not the actual contact. I know that. But at least there's enough there to know who is handling it.

We did see that RDDS and WHOIS for third parties would now be a legal justification. And finally that UDRS and UDRP complaints won't be deemed defective just because we were unable to put the name of the domain name registrant.

We may have to put so-called John Doe in their knowing that thank UDRP provider has to be given access to the actual identity of the registered name holder for purposes of pursuing a URS or UDRP.

I might add that there's a tremendous disappointment that the temporary spec didn't force implementation of any accredited access model, whether ours or any other.

And by forcing, I meant we suggested the board come up with a 90 day shot clock so the community did develop its accredited access model. And the beauty of that would be that, if we fail to achieve consensus, because I think it will be very difficult to get consensus, if we fail to achieve consensus, the notion of areas that the board could do a second temporary spec regarding the accredited access model.

This has never been a preferred solution, but now we find ourselves in an a temp spec that doesn't have an accredited access but we should keep alive the possibility that there is a failure of the community to develop one, that we might seek the same top-down imposition path of a temporary spec for that. Susan, I'll go to you and open up the queue. Susan.

Susan Kawaguchi: Thanks, Steve. So, the Council had Webinar to talk about the EPDP, expedited PDP process, and try to, you know, sort of get her arms around what the options are there for this temporary spec.

As you all know, we've got - we have 12 months to do something here. And so, most of what was proposed from, you know, were described as the EPDP process was pretty limiting.

And I had two different PSWG members reach out to me and said, "Looks, and looking at this information, there's no place for the GAC to participate." There was, on that - on the money call, there was a lot of call for doing this in a CCWG process instead of a PDP process which does not necessarily provide or maintain control of the process in the GNSO.

So, that was problematic. We then had a Council meeting last night and discussed this again for about 45 minutes. The registrars and the registries are saying that some of the - parts of the temporary spec are out of the ticket business and they would not be included in the EPDP process.

There was also a big push back on allowing the GAC to participate, which I think is just ripe for failure and saying, well, you know, we should restrict it to DPAs because GAC can't really represent a position.

There's also just sort of a tone that - well, actually it was stated in the call last night that this EPDP would not be to come up with a new policy to replace this temporary policy.

It would - we're not fixing WHOIS as it is. We're adjusting this temporary policy. So I'm worried about the perception and whether we really, you know, going to focus on, and as a community, can we come together?

We were given until next Friday to come back with sort of thoughts and ideas of what each of our communities were thinking on this. And I think the registrars – well, that deadline is next Friday, not tomorrow.

And I think the registrars in the registries are going to come back and say, you know, this is all out of the tickets and you can – the EPDP can only address this. We'll go and negotiate with ICANN on the rest of it.

And so, I don't know where it lies. I think that something that the PC needs to determine and, you know, make sure we all understand. And I'm sure some of it is out of the picket fence but they seem to want to assert that a lot of the temporary spec was out of the picket fence, so, therefore, no discussion by, you know, the rest of the committee.

Steve DelBianco: Susan, to - very helpful, Susan. I did attend the Webinar but I'm glad you're reporting in addition on what was discussed on the Council today. On the screen, Susan, I have the so-called picket fence which is part of the gTLD registry agreement.

It really hasn't changed in years. And it's a carveout. That's why we call it a picket fence. It puts a fence around certain items that the community can develop policies on.

And those items, then, have to be implemented by registries and registrars. So, if something is inside the picket fence, the community can jam it on contracted parties even though it wasn't in the original contract they signed.

If things are outside the picket fence and we can't impose them on contracted parties unilaterally that way, it would have to be negotiated. So, Susan, with the items that are on the screen, it isn't a very long list.

Which elements of the picket fence today believe the temporary spec is violating?

Susan Kawaguchi: You know what? It was a late-night meeting and I didn't make that assessment. So I will take this and compare it to the temporary spec but I think the BC needs a discussion via email, at the very least, and so that we know what we're fighting for to be, you know. I just think that they're going to try to take it out of the picket fence for the most part.

Steve DelBianco: And if they do, then, even an expedited PDP wouldn't arrive at a place where the new policies were mandatory.

Susan Kawaguchi: No.

Steve DelBianco: And the temporary spec would expire and we'd lose whatever mandate had been imposed. I'm really quite surprised about this and anxious to hear more. Should we look at the transcript of the Council call is there any written documents that they circulated on Council?

Susan Kawaguchi: No, it's mainly - I had submitted, you know, just some ideas on EPDP to the Council. And there was a lot of pushback on anything I had said. So, I'll pull some parts of...

Steve DelBianco: Even when you – even - yes, go ahead. Sorry.

Susan Kawaguchi: Go ahead. No, I'll pull some parts out of the transcript and try to send that out to the BC thread.

Steve DelBianco: Thank you, Susan. When you quite correctly observed that...

((Crosstalk))

Steve DelBianco: Yes, Margie. Let me ask Susan to clarify one other item and then we'll go over it over to you, Margie.

((Crosstalk))

Steve DelBianco: Susan, you did push back on this notion of creating a cross community working group where we end up getting a single representative for all of the CSG. And was that getting pushback from NCSG and others in Council?

Susan Kawaguchi: Not last night, Farzaneh was on the call on Monday night and she was just going at it for the CTWG and you know, ten people or something, or 15 (unintelligible). Registry, Keith Drazek for the Registry Stakeholder Group was very adamant this was going to be some version of a PDP which I think all the Council agreed on that, I don't think there's any pushback on that but I think if Farzaneh comes back into the conversation, there could be pushback.

Steve DelBianco: Susan, one follow up is that I heard I heard the Council Chair, Heather, talk about wanting the Council to act quickly and assertively so that the Council kept control of something that has to do with GTLDs.

Susan Kawaguchi: Yes.

Steve DelBianco: Throwing this to a CCWG takes it outside of Council.

Susan Kawaguchi: Exactly.

Steve DelBianco: In fact, a CCWG isn't even allowed to make modifications that are within the picket fence, only Council can approve that and Council presumably approves it pursuant to a PDP, so I think we ought to try to insist to stay within a Council framework.

Susan Kawaguchi: I absolutely agree and I have no idea why that was even in the documents that we were reviewing on Monday. There's just too much going on is part of the problem here.

Steve DelBianco: I hear you. Margie.

Margie Milam: Yes, hi, I wanted to comment on the picket fence concept. As many of you know, I was on staff for a while and I was involved actually in the drafting of this language. It squarely falls within the picket fence. It's in 1.3.4 - WhoIs has always been intended to be part of the picket fence and I think it's outrageous at this point that the prospective parties are trying to take it away from the Council. So I think that, you know, that this is something that the (GC) should support heavily - Susan's position and whatever you need, Susan, to back you up on it, I'd be happy to give you some language but - no argument here that 1.3.4 doesn't apply. The picket fence is merely meant to talk about other things in the contract that have nothing to do with detailed (unintelligible) policies and as you know, from the bylaws, the scope of the GNSO's authority and responsibility is listed in the bylaws for developing policies related to GTLDs, WhoIs is one of those. So I don't see where there's any merit in the claims and it's just frustrating to know that the contracted parties are trying to just cut out the rest of the community from this discussion.

Steve DelBianco: Margie, I note in the chat, which you probably can't see, but Marie is so quick on the draw that she found the transcript from what Keith said on the Council call and has pasted it in the chat and it's Keith Drazek suggesting a very general effort to focus on whether the temporary spec has any elements outside the picket fence, so I think that in his diplomatic way, he's suggesting that they're looking at it but I don't believe there's any specific mention, Marie, there's no specific mention on a particular item of the temp spec that wouldn't be in there. Marie, did you want to expand on that? Those are your notes, not the transcript. Thank you. Marie, anything to add on that, or Susan?

Susan Kawaguchi: No, but we do have an - we're supposed to report back next Friday so we have a week to sort of put together a position and it would be helpful and I'll take you up on your offer, Margie, to sort of go through the temporary spec almost item by item and present a view, a BC view on this.

Steve DelBianco: Susan, let's make it a twofold, the view on who runs the PDP, who's in the PDP, how it works and what it's named, what it may address, so the who, how and what would be the three elements the BC should try to come up with a position on by next Friday and it shouldn't be difficult. The who is Council, the how is following the PDP rules, not the CCWG rules and the what is everything in the temp specs since it's all within the picket fence. How does that sound?

Susan Kawaguchi: Sounds good to me.

Steve DelBianco: Margie, would you help us with that?

Margie Milam: Yes, I will.

Steve DelBianco: Fantastic, it helps so much if the BC has member who were formerly on ICANN staff. I do hear a phone ringing, I'm not sure who that is, (unintelligible) please hit mute. All right, I'll move on then, back to the policy calendar. Are there any other comments or questions on where we stand with the temporary specification?

Denise Michel: Yes, Steve, this is Denise again, I'm on the phone, so not in the room.

Steve DelBianco: Go ahead, Denise.

Denise Michel: Yes, I think it would be useful for the BC and perhaps this is something the Ex Comm can discuss, going back up to 10,000 feet, the BC has shown very strong leadership on this very critical issue for its members and yet the staff and the Board in large part has ignored the business constituencies and advice and guidance, nearly across the board. There has been very little substantive response to the very thoughtful and substantive comments and letters that the BC has submitted and the temporary specs ignores many of the requests and recommendations that the BC has made. We're left with a system that is a boon for the bad guys and will adversely impact BC members and beyond.

So I think it's worth, perhaps, if some can discuss how we can get more of a response and engagement from the Board and from the staff on this issue. There will be, of course, very critical issues that will be - that will be decided by a couple staff and a couple registrars and registries on how this temp spec will be implemented. The devil is in the details, the temp spec really includes no accountability on the part of registers getting back to anyone requesting reveal of WhoIs data for GDPR legitimate purposes and this is something that the constituency should have insight and involvement in.

The business constituency also deserves a response to all of its submissions on this issue so perhaps a discussion conference call with the Board might be in order on this, certainly a long Q&A session with staff as the temporary spec raises numerous, numerous questions about how this is going forward and so just want to throw that out there for consideration.

Steve DelBianco: Thank you, Denise. This was just me speaking personally, but not for the BC, but I did suggest at the end of our last strategy call that there are four things I believe we should do, starting on May the 25, is that whenever any of your companies makes a request for non-public WhoIs data, be sure and document and explain your purposes, carefully document the speed and accuracy of the response that you get from the registry or registrar. We'll need all of that response data in order to justify follow up action on the accredited access and I think that we in the BC should participate enthusiastically in the expedited PDP and either seek a separate track for accredited access or embrace the idea that we pursue it through a new temp spec if it's stalled or blocked by others.

And I also added that we should embrace RDAP as the solution for this automated access for accredited users since the registries have to implement it by the end of July and we'll have at least the backing of Verisign who's running com and net, which are not sick and therefore RDAP is the way that we get to the data that's held by the registrars in com and net.

Denise, to your point about the BC pursuing a dialogue, let me ask you this. There's a three hour session in Panama on GDPR and WhoIs and currently the BC and the IPC are the ones who are helping to organize that. I know Barbara will address it a little later on the call, but that would be one of the first places we could do so and I understand it won't occur for another four weeks, but it could be a place where we put some of our ideas and concerns in front of the entire community, and I would hope by the end of June in Panama that we'll

have documented cases where legitimate purposes for non-public access have been frustrated by non-response. Marie, you're good to go.

Marie Patullo: (Unintelligible) I'll go into queue (unintelligible).

Steve DelBianco: Denise, go ahead and finish up and then we'll go to Marie.

Denise Michel: Okay, yes, I think that session can certainly be useful but frankly, the staff will be sitting down with a few registrars and registries and deciding how the temporary spec will be carried out, making a number of small but very impactful decisions for our companies and we should have some involvement in that now. The Board should explain itself, in terms of all the request and recommendations the BC made as to why they ignored them when the temporary spec ultimately was passed. We should understand that as soon as possible, I think.

So I think we need a number of different action here and of course even though our letters seem to be ignored, I think it's important for the - it's important for the BC to document all the questions and issues and concerns raised by the current temporary spec and do it quite quickly to again, try and get some clarity and response from staff and Board and make sure they understand all the myriad of issues that are of concern to the businesses of the world. Thanks.

Steve DelBianco: Thank you, Denise. Marie?

Marie Patullo: Thanks, Steve, can you hear me okay?

Steve DelBianco: We do.

Marie Patullo: Great. It was really in response to Denise's points just now based on the Council meeting which to me was this morning, the same one that Susan was at yesterday evening. There is a move, as such, within the Council to have a discussion with the Board prior to Panama, and also potentially to have a special Council meeting on this issue prior to Panama. The date being kicked around at the moment, the meeting is the 14th of June, although that's not confirmed, but as you know, Susan has volunteered to be on the drafting team and Donna was quite clear that, and I think she's right in this, that if we're going to talk to the Board, we have to know what we're going to talk to the Board about. So I would suggest, if this is possible, that Denise, Margie, you, all of the experts feed in these points to Susan, who can take them into this call to the Board. Susan, does that make sense to you?

Susan Kawaguchi: Yes.

Steve DelBianco: Marie and Susan, this is Steve. One of Denise's points is a process in transparency point, and that is that if staff is meeting with the contract parties to do the implementation of the temp spec, that when it comes to process and transparency, all of that should be available for the community to participate and comment on, so the implementation of the temp spec should be transparent and subject to community comment. There's a better chance that Council will back us up on that claim. There's a lesser chance that Council would back us on a litany of areas where the Board ignored us in approving the temp spec. We can still say it, as the BC, but it won't be something that Council would say as a body.

Marie Patullo: Steve, this is Marie. I fully agree with everything you just said but I think it's a different issue to an extent because complaining that they never listen to us, which is true, it's something that the BC needs to do independently because it will not give us a practical outcome in the short term. What we do need to do

in the short term is get whomever from the Council is speaking with the Board. From the call this morning, my understanding is that's probably going to be Council leadership so Heather, Donna Rafik, and volunteers like Keith and Susan to have the right talking points with the board. I hope that makes sense, I fully agree with the transparency part, but I think we need to pin down what we need the Board to do right now on this temp spec. Thanks.

Steve DelBianco: And I'll bet we can get the rest of Council and leadership to say that it shouldn't just be a unilateral, bilateral negotiation with the contract parties. That's why I brought that up, because I'm pretty sure that Heather would go along with it, even Rafik. On the other hand, if we want to list the areas in which the Board ignored us, I don't think there's a chance that Council would endorse that. We could say it on our own, but we wouldn't be able to get Council to come to agreement that should have been in the temp spec but were ignored. Let's work on both tracks and I'm surprised to hear that it's just a few members of Council leadership as opposed to the whole Council talking to the Board. It might be perhaps worth requesting that the entire Council be allowed to participate.

Susan Kawaguchi: There was - this is Susan - there was discussion of that and so we didn't, you know, that wasn't really nailed down. I was surprised that more of the Councilors weren't pushing back on that, but as part of the drafting team then I will have a seat at that table.

Steve DelBianco: Outstanding. So Susan, feel free to share by email to the BC private on what you and Marie are working on with respect to that. We'll try to feed into Denise's point on the bilateral negotiations, we'll feed in the issues of concern about the picket fence that Margie's working on. So we should be able to centralize that with you and Marie so that you can work on the drafting team.

Susan Kawaguchi: Right. Thanks.

Steve DelBianco: Thank you so much. Marie, your hand is still up. Anything else? Great, I'll turn this over to Marie and Susan to discuss this morning's Council meeting further. What you have on the screen in front of you is the highlights from this morning's agenda and links to transcripts, motions and documents. Susan and Marie.

Marie Patullo: Hi Steve, this is Marie. Given the timing, I will go first. Consent agenda, only one item, we now have a new co-chair for the RPM PDP, Brian Beckham of WIPO who can only be good because of his knowledge and ability. The Council voted unanimously to adopt the revised charter of the standing selection committee. As you know, our own Susan Kawaguchi has been reconfirmed as chair for that committee. And another one of Susan's hats, she has also just undertaken and she (unintelligible) for this, a liaison discussion with the IGO/INGO Access Security of Rights PDP who had a member who appealed on a process point because he had nothing better to do with his time but derail a PDP. Susan, obviously is your expert here but we're hoping that the working group will be able to give its comment on (unintelligible) quite soon and that there should be a report delivered in time for Panama. All questions on that (unintelligible) over to Susan, please. So with a brief discussion on the review of the CSC charter, nothing terribly controversial. Comments like make sure we have geographic diversity of the people who are involved.

There was then a discussion about the specific reviews which I won't repeat because Susan gave you the highlights of that earlier, the most important of that, of course, being RDS. Then there was the discussion about the temporary specification. I will stop there unless you have anything further.

Steve DelBianco: Anything further, Susan?

Susan Kawaguchi: No, I think we've covered it. Thank you, Marie.

Steve DelBianco: Great, let's go over to Barbara to cover the Channel 3 on CSG and ICANN62 in Panama.

Barbara Wanner: Okay, just briefly, on ICANN62 in Panama, as Steve mentioned, there will be a GDPR WhoIs panel. I defer to Steve, though, on substance, because I have not directly involved in the planning of that. I believe Steve has been working with the IPC as we did in San Juan. But on the CSG front, Tony Harris has indicated he will step down as a member of the Auction Proceeds, CCWG serving on behalf of the Commercial Stakeholders Group. He will remain engaged until Panama but we will have to (unintelligible)

Steve DelBianco: Chantelle, can you help with that?

Steve DelBianco: Hi, Steve, I'm working with the Operator right now.

Barbara Wanner: Okay, great because sometimes I lose my connection. In any event, we will need to choose a successor to Tony to participate on behalf of the Commercial Stakeholders Group on that CCWG. Privy to a detailed email stream, Tony was quite concerned about the fact that the CSG's point of view seemed to be overwhelmed on this CCWG so he felt it was very important to have a strong representative that can speak on behalf of the BC, IPC and the ISPCP. There - I know there has also been a request for a special meeting in Panama with Xavier and Samantha to discuss what's going on in the Auction Proceeds Group. I think there's a scheduling crunch, quite honestly, so I'm not sure we'll find an optimum slot that everybody will be able to participate in but I think Chantelle is trying to help make something happen on that regard. So that

really is my report right now. It would be good if - I think we will probably have a CSG Ex Comm meeting to discuss candidates to succeed Tony so I would appreciate any suggestions from the BC as to how you want to proceed. Thank you.

Steve DelBianco: Barbara, thank you so much. There are three BC members who have participating on the Auction Proceeds, Marilyn Cade, Tola and Lawrence so I know at least two of them are on the call. No need to speak up right now, but I would ask BC members on CCWG for Auction Proceeds to try to come to some agreement on whether any of you or any other BC member could step up and be that CSG rep to succeed Tony Harris. So we look forward to you getting back to us after you consult among the three of you. Barbara, anything else?

Barbara Wanner: No, not from me, thanks.

Steve DelBianco: Great. Thank you. I'll switch the share back to the agenda, and on that agenda, we'll go to - Claudia is not here to do the BC meetings, we'll have to do that via email. Let me turn it over to Jimson to cover Operations and Finance. The agenda is displayed. Jimson?

Jimson Olufuye: Thank you very much, Steve. This is Jimson Olufuye. When in the (last hour) I was in the ICANN Projects (unintelligible) where we're based about the (updated FY19's) present plan on budgets (and its impact on the BC). Well, I'll just go back quick summary, we got to - they announce impacts on the BC. Well, ICANN funding from the report continue to increase year on year, but now slower than before, so it's running at a slower rate and (three zero and 5%). And for the FY19, (unintelligible) ICANN Budget is 157.7 million US dollars and this includes the \$10 million for the Public Technical (Identifiers) known as (unintelligible). Well, there was a big pushback by the community

about the CROP so (this has not been eliminated). As Marilyn on the list a short while ago, it was only reduced by 60%, so perhaps we will need to make up for any CROP activity with our own funding.

With regard to additional budget request, we also have reduction by 50% like our leadership program so not eliminated (unintelligible) entirely so it's been reduced by 50%. (Instead of) potential leaders to (join us) at every meeting or every ICANN meeting which is now being just one. So we will fund the other from our own budget. At the same time, (unintelligible) not for profit, so we only have support from you all, from BC that (one officer) should be supported continuously. There was a call for request for IFG 2019 Engagement of ICANN Engagement of Internet Governance up to about \$11 million.

Request for outreach material publications was approved, so that is okay, and the intersessional, you can recall that BC (traded) the intersessional for some (community activities could be restored, like Wiki) was retained at (unintelligible) so we have spent (unintelligible) in FY19 and the Wiki was not related but was reduced to \$6,600 and there is a petition before that (unintelligible) the FY20 by 50%.

Well, on the membership, between the last BC meeting and now, two new members have joined. I don't know if GrabADeal is online from Nigeria, and also (MILA) from the USA. These are the two people that joined. I want to thank the Credentials Committee and Chantelle for their work to clearing the backlog, the membership applications. So we expect those applicants to finalize the process by paying membership dues.

In FY18, all together now, at of this moment, we're up to 10 new members, (unintelligible). Hello? Can you hear me?

Steve DelBianco: We do, but only - it's very vague. Speak up.

Jimson Olufuye: Okay, no, I lost the telephone, so it's back on now.

Steve DelBianco: Jimson, are you there?

Jimson Olufuye: Can you hear me?

Steve DelBianco: We do.

Jimson Olufuye: Yes, okay, (with the last point) in respect to the BC's FY19 (unintelligible) ready for the (unintelligible).

Steve DelBianco: Jimson, we've lost you at this point and we are unable to hear you, so I'm going to wrap the call up with one minute to go and remind everybody on the BC that our next call will be on the 7th of June and that you should watch for emails before then, that is to say in the next seven days about the work we're going to assist Susan and Marie with in drafting Council's response to the Board on the temporary spec. All right, thanks everyone.

END