

ICANN

**Moderator: Chantelle Doerksen
August 23, 2018
10:00 am CT**

Coordinator: Recordings have started.

Chantelle Doerksen: Good morning, good afternoon and good evening. Welcome to the BC Membership Call on Thursday August 23, 2018. In the interest of time attendance will be taken via the Adobe Connect room and the phone bridge. I'd like to remind participants to please state your name before speaking for transcription purposes and to keep your phones and microphones on mute when not speaking to avoid any background noise.

With this I will turn this over to BC chair to begin. Claudia, please go ahead.

Claudia Selli: Thank you very much everybody for attending the BC call. As you know we postponed candidate calls for the GNSO councilor position as well as for the NomCom seats so we're going - we thought that we're going to have these discussions today in our BC call. We'll try to keep the call in any case a one-hour call and we will have the discussion in the first part of the call followed by the policy discussion and council update, the CSG report, ICANN 63 preparation, as well as operation and finance report.

Are there any AOB points that someone wants to make in the call so that we can note at the beginning? Okay. I propose that we then - that we start with the candidates discussion. Chantelle, if you want to start that.

Chantelle Doerksen: Sure. Thank you, Claudia. As the moderator for this portion of the call, I will let - I would like to let everyone know that the names of the nominees and the nominators qualify according to BC charter rules as paid members of the BC and therefore all nominations are valid. Nominations to the role of GNSO councilor and nominating community representatives have been received and the candidates were contacted and accepted the nominations.

For transparency purposes please note that the nominations are as follows: standing for the BC GNSO councilor's role we have Scott McCormick. Scott was first nominated by Susan Kawaguchi and first seconded by Marie Pattullo. For the Nominating Committee large business seat we have one candidate, Paul Mitchell. Paul was first nominated by John Berard and first seconded by Zahid Jamil.

For the small business seat to the Nominating Committee we have Lawrence Olawale-Roberts. Lawrence was first nominating by Chris Wilson and first seconded by Gabriela Szlak. Candidates will now be allocated time for questions in alphabetical order by last name, which is Scott McCormick, Paul Mitchell, and Lawrence Olawale-Roberts.

For today's call I will first open the floor to the candidates to see if there's anything that they would like to add at this time. Then we will open it up to questions from BC members. And candidates may choose to respond during this call or also in writing to the BC private list. Upon close of this call we will start the voting period, which will close next Thursday. Only paid members and primary contacts for BC member organizations will receive a ballot unless formally advised to myself and Jimson before the opening of the vote. Any proxy assignments need to be let us know by the end of this call.

With that I would like to turn it over to our candidates to begin. And as a point of housekeeping, I do not see Scott on this call at the moment so I would like to turn it over to Paul. And while Paul is giving any opening remarks, I will contact Scott. Thank you. Paul, over to you.

Paul Mitchell: Okay. Thank you. I hope you can hear me. I guess I would first like to say thank you for the nomination. It was an honor a year ago to accept the nomination for the last NomCom and unfortunately as you know I was unable to complete the term due to personal circumstances so I'm particularly happy to have received another nomination that would allow me to continue the term.

As most of you know, I feel very strongly about the role of ICANN in the world today and the importance of having solid, stable, accomplished and thoughtful people on the board representing a wide range of capabilities, talents, and experience.

I think it - the multi-stakeholder model that we have substantiated in ICANN is so far unique in the world and despite the hiccups and challenges that we've seen over the past few years leading to the IANA transition and the situation we're in right now with the GDPR, it's still been a remarkable institution in terms of what it has enabled in the world. I look forward to the opportunity to help strengthen the board for deliberations on candidates and would happily accept your vote and answer any questions that you have.

Chantelle Doerksen: Thank you very much, Paul. Lawrence, I will now turn it over to you to have any opening statements. Lawrence, please go ahead.

Lawrence Olawale-Roberts: Thank you, Chantelle. Good day all BC members. Thanks a lot for this opportunity that's been presented me to represent the BC SME's on

NomCom. I am excited about this opportunity and I want to especially thank Chris and others who seconded my nomination.

NomCom has a unique responsibility of which I'm aware of, especially in the current situation where we're not only looking to fill board seats to the ICANN board and, you know, the council, SOs and ACs, there's also an additional responsibility now. And so I come to this with a huge sense of responsibility knowing that there's a need also to cater for our interests as business.

While I understand that, you know, we're not going there per se to see that every seat is, you know, taken over or filled by business, I recognize the fact that there needs to be - needs to also have in the case of the board who is ready to listen to the community and to also (unintelligible) to act on a lot of desires and demands that we have. So this I pledge to do if elected as the NomCom rep for SME.

And while, you know, like I said in my candidate statements, while I know that at some point in time NomCom becomes critical and there's a lot of privacy -- I'll use that word, not secrecy -- required or at least to the point where we are trying to get nominees seeking for a great challenge that will help contribute to the great work that - of the technical multi-stakeholder business, at least while we're looking to see that all of us here in this meeting and other members of the community are, you know, actively engaged in putting forth good talent, good recommending, great personalities that will help see that whatever NomCom comes with at the end of the day is a good reflection of the great challenge that we have.

I would like to stop at this point to give room for others and questions. Thank you.

Chantelle Doerksen: Hi, Lawrence. Thank you. And I see Steve's note in the chat that Scott is in the face-to-face meeting for the SOR2 team and that he will be stepping out shortly to dial in.

Steve DelBianco: Chantelle, it's Steve. Can I ask a question of Paul and Lawrence please?

Chantelle Doerksen: Sure. Please go ahead.

Steve DelBianco: Yes, Paul and Lawrence, both of you are running for the NomCom slots and I'm aware that at the San Juan meeting the Nominating Committee had a bit of a controversy and a little bit of a division between BC members who were leading NomCom and NCSG, and it actually bubbled into a bit of a controversy even at the public forum. And the BC backed our BC members on the NomCom for them trying to maintain the confidentiality of what happens within the Nominating Committee.

I wanted to understand the extent to which either of you are aware of and hope to defuse those controversies on the NomCom when you take your seats representing the BC. Thank you.

Paul Mitchell: So this is Paul. I can speak not to that specific circumstance because I was not really all that aware of it but I can speak to the handling of confidentiality, the discussions about that that did take place during the time that I was on the NomCom and the challenges there.

I think it is fair to acknowledge that the - there has been a feeling of a little bit of Kabuki theater, at least that was maybe the way it was expressed in the early stages of the last NomCom where the overall communications about processes and candidates and in particular the things that were actually being

sought for the board based on input from the previous board, except for all of these were sort of swirling around in what I thought at the time was a little bit of Kabuki theater.

Everybody had good intentions but the communication all up - suffered at various points along the way. I'm personally committed not to contribute to that kind of a challenge, and this is not really a slam on any of the members of the NomCom at the time. It's just I think a result to some extent of the way that we came together and tried to get everybody on the same page both process wise and substance wise in terms of what we were trying to accomplish.

I think it's a challenging situation overall because of the makeup of the NomCom at that time, just a different - the very different personalities and different backgrounds and different expectations of what ICANN is about. I think that's one of the strengths actually of the NomCom but it does result in some really interesting and potentially challenging discussions on substance.

Lawrence Olawale-Roberts: Thank you, Paul. This is Lawrence. Thanks, Steve, for that great question. To the most that I'm aware of, I know that the NomCom, especially the NomCom that you referred to, had set some rules of engagement. They were clearly spelled out, you know, in the beginning of their task, so to say, and apparently (unintelligible) the much that I know was that we had one member who not only had some kind of conflict of interest but also went outside the rules that were to bind the collective body.

And I can see also that at that period the BC members were unified in their position and in their support for the leadership of NomCom. The fact that we had all BC members, lucky that we had three of them together on this position was enough conviction for me to know that that is the position to be told.

In this upcoming opportunity, definitely one will have to respect to a large extent whatever the operating procedures are from - that the NomCom set in place. And aside from respecting that, one will also be careful to, as much as is practically possible, allow the position of not just the BC, the Commercial, you know, Stakeholder Group, but primarily the BC, I believe that if we all were to play by the rules that have been set from the beginning from the offset, and if there be any conflict of interest declaring such in due course, it would leave little or no room for conflicts. Thank you.

Jimson Olufuye: Well this is Jimson. Just a quick question as well to Paul and Lawrence. In view of concern in some quarters about BC having two picks in NomCom, so how do you justify the small and large seats the BC has on NomCom, the two seats, compared to others, whether it should just have one seat? Thank you.

Lawrence Olawale-Roberts: Thank you, Jimson. If Paul doesn't mind me jumping in first on this. Paul?

Paul Mitchell: Yes please go ahead.

Lawrence Olawale-Roberts: Thank you, Paul. So for me while we have quite a lot of people, you know, talking about the BC having two seats, we forget the fact if possible that At Large has got five seats. Their argument is the fact that, you know, they are a - I mean those seats are located according to regions and because they are At Large the end users they get to have such a representation. It's the same even better argument that the BC has to build on because we are talking about businesses all over the world, not just in developing countries, not just in developed countries but all over the globe.

And so if we were to break - if really want to be breaking seats down in terms of business, we might even be looking at breaking down - looking at the industrialization sector, you know, it's a wide - it's a very wide field. So if the BC is making a case for big businesses and small businesses and trying as much as possible to cater for this block for just those two sectors, at least it's really what that pertains.

Again we have lots of other businesses that don't fall within this category but it's the easiest way to split business and I feel that where there's a precedent already, if we were to for instance make this argument on a regional basis, businesses in Africa, what we need to drive is definitely different from what is needed to drive in Europe or in very developed countries. In other places there are not so many power issues, there are not so many (unintelligible), there is so much that is not being struggled with.

So if we were to break it down on a regional basis and bring the ideas or bring the issues that affect business across different regions and we want to reflect that in NomCom, what will be asking for is I think three more seats. So I think that what we already have is just adequate to be able to take care of the interests of business. Thank you.

Paul Mitchell: I think Lawrence did a really excellent job of explaining and I would agree with pretty much everything he said. I mean the reality is that there are very, very different interests at the business - in the business level between an enterprise like Microsoft and so many of the SMEs and, you know, other types of user and interest of the Internet community and to try to imagine that they are all represented by a single rep just isn't going to get the diversity of views, and that's an important aspect of the NomCom work.

Chantelle Doerksen: Thank you very much, Paul and Jimson, for the responses. At this point I see that Scott has joined and I wanted to open the floor up to him to see if he has any remarks to build upon his candidate statement that he'd like to share with the group. Scott, please go ahead.

Scott McCormick: Thanks, Chantelle. Hi everyone. Scott McCormick here. I wanted to start off actually right away and let everyone know that I will be needing to update my SOI. I am moving companies. For the last five years I've been running my own consulting firm in which we've I've been a member of the BC. But moving forward I've accepted a position running security compliance for a company some of you may know, or may not, called HackerOne.

So it's a, as the name implies, a hacking company that is up and coming out of San Francisco. So I've already talked to them about my work in and around SSR2 and ICANN and they are as of now supportive of my work in and around this.

Chantelle Doerksen: Thank you very much. Steve, I see your hand is raised.

Steve DelBianco: Scott, it's Steve DelBianco. Thanks for stepping up to run for council. But I note also that one of the reasons you weren't on the call initially is that you are the BC and the CSG's rep on the Security, Stability, and Resiliency team for review, the SSR2 review. I wanted to ask what phase of that work they are in and whether HackerOne and yourself can accept that you could support both the SSR2 and the role on GNSO Council for the BC. It's a bit responsibility. I am confident you could do it as long as you and your company have the understanding, at least for the short term, it's double duty at ICANN. Thanks, Scott.

Scott McCormick: Thanks, Steve. Yes absolutely. So we're in a three-day face-to-face meeting commencing the reboot I would say of SSR2. It seems to be going very well. We've had several people drop off of SSR2 that from what it sounds like were probably needing to drop off and were causing some issues.

The new team is very receptive of the new members and we've had actually a great first day yesterday. We're in our second day today. For the most part we're in the process of determining the new leadership and moving forward the new framework and really what issues, you know, caused the great pause as we call it and getting forward with that.

I think the timeline for SSR2 at this point what we put together, and this will come out probably in the next week or so, is that we're looking to conclude all of the work for SSR2 by this time next year, so hopefully having a draft statement out not at Barcelona but the following meeting and then be able to accept comments on that and board review and then publish a final either next June or next - sometime next summer. So.

As far as working with, you know, GNSO Council that shouldn't be an issue. I know it does take some time. For me, you know, working remote has been my kind of calling in life for the last few years so, you know, it's just making sure time management's accounted for.

Chantelle Doerksen: Thank you very much. Jimson, I saw that your hand is raised.

Jimson Olufuye: Yes. I have some questions for Scott. Yes, thank you, Scott, for your volunteering yourself to serve in this capacity and I appreciate all the work you've been doing. Just for with regard to the standing of the new company since you said you will be changing jobs soon, so will HackerOne be joining the BC soon?

Scott McCormick: That is my goal. I need - I'm actually having a call with the CEO this afternoon to talk further but I'll be talking with them in the next couple weeks about whether they want to be a member of the BC or whether I continue on as my own company, you know, with security in mind.

Chantelle Doerksen: Thank you very much, Jimson. Your hand is still raised. Did you have a follow-up question? Okay. Great. Thank you. Looking at the time, we've now gone through the 20-minute allotted for the candidates discussion. Are there any closing remarks or questions that anyone would like to raise? And if not I would recommend that we move this to the BC private list. I see that Marie is typing and that Scott has raised his hand. Scott, please go ahead.

Scott McCormick: Yes. I just wanted to make one comment too. I know I'd had several people encourage me to step up as either a co-chair or chair of SSR2 being that my background is security practitioner and moving forward with the GNSO candidacy I would say that probably would not be something I would recommend. So for those that have encouraged me to do that, I would just be a SSR2 team member versus stepping into that co-chair or chair position.

Chantelle Doerksen: Thank you very much, Scott. And just a note to the BC members that the candidate profiles have been re-circulated to the list so I would encourage everyone to go ahead and read those as well. With that we'll conclude our candidates discussion for today's call and we'll move it to the policy discussion. And with that I'll turn it over to Steve. Steve, please go ahead.

Steve DelBianco: Thank you, Chantelle. If you'll display the policy calendar please. I circulated yesterday to all BC members. Since our last call, there's only been one comment posted to ICANN but a lot of work done particularly on GDPR. The one comment we posted was on the 10th of August, and thank you to Kristin

Doan for leading the draft and to Chris Wilson for providing edits. This was a comment we had on the recommendations of the IRP oversight team, the IRP implementation oversight team. Those comments were well done. Kristen thank you for stepping up for the BC. Appreciate that.

We now turn to three open comments that are there for the next two to three weeks. Number one is a recommendation on how to manage IDN, internationalized domain name variance for top level domains. Comments close in two weeks on September the 3rd and previously back in December of 2017, Andy Abrams, Paul Mitchell and Olga Yaguez did a superb BC comment on IDN guidelines.

This is a follow up to that and I wanted to thank Mark Svancarek for stepping up to at least review whether the new recommendations would deserve an additional BC comment. Mark is probably working 30 hours a week right now on the EPDP, the expedited PDP for the temporary specification. So, Mark, if it's possible that you can at least circulate your initial thoughts, maybe other members of the BC can chip in and help to put some meat on the bones of those comments.

Anything you want to add here, Mark, and are there any other volunteers that would want to assist Mark on this one? This is number one on IDN variance. It would be particularly useful for anyone that does work - whose business does a lot of work in scripts other than the Latin script. Okay? Thank you. If Mark circulates a draft, I'll be sure to clean it up and circulate it for the rest of the BC to review at least a week before the due date of September the 3rd.

The second open public comment is on the next round of new gTLDs. It's sometimes called Subsequent Procedures. Those comments close the 5th of September and I want to give a big thank you to Vivek Goyal for stepping up

the first time as a BC member to draft a BC response. I - and I have to say that what Vivek embraced here was a huge challenge.

There are over 300 questions and recommendations in this initial draft for comment and I first pointed Vivek to the BC's work in May of 2017 where we filled out new gTLD questions. Well the bad news is that our questions only coincided with a few of the 300 questions that are on the table today. So Vivek did his best to translate prior BC positions into that matrix.

We put the matrix up as a Google sheet so that BC members can see and make edits right there on the screen. It's critical that we provide early input now on the next round for subsequent procedures. There are topics in there related to background checks on new TLD applicants, on whether to refund fees that were unused in the previous TLD campaign, and topics such as closed generic TLDs. In other words there's something in there that touches many aspects of BC policy.

Can I ask whether there are any other volunteers who will commit in the next few days to look at that Google sheet and make some inputs? Vivek, please go ahead. Can't hear you, Vivek. Still not hearing you. Vivek, we don't think we have audio so is it possible you could put it in the chat?

Which other BC members with experience on the next round could help out? I think in particular Andrew Mack just because in alphabetical order your first on the list, you were really active on the last round and the notion of giving support, financial support for applicants from developed parts of the world. Would you be able to spend even just half an hour scanning the list to see if there are questions or recommendations relevant to the extensive experience that you had in that area?

Andrew Mack: I'd be happy to, Steve. Absolutely.

Steve DelBianco: Thanks, Andrew. Anyone else on our list? Okay. I'll move on to the next one. Number three is ICANN's draft strategy for Africa, for the Africa marketplace for DNS and DNS services. Those comments close the 10th of September. We already have volunteers from the BC, Marilyn, Jimson, Andrew Mack, and Lawrence, and that's not due till the 10th of September. You've got some time. But is there anyone else on the BC list here who wants to volunteer to assist Marilyn, Jimson, Andrew, and Lawrence? Okay.

There are only two more open public comments, one on the technical use of the root zone label generation rules. This is really about non-Latin scripts and we would need a volunteer to draft comments. Those don't close until the 11th of September. And then finally modification of the domains protection marks list. This is a special service that was introduced and offered by Donuts and Donuts runs a couple of hundred new TLDs. And it's a service that Donuts is proposing to make an amendment as to how it's done, particularly with respect to unblocking a label that was blocked as part of the list.

So those on the BC who have a lot of experience in trademark blocking lists, it would be perfect for you to step up to this. And as usual, Marie, always the first to volunteer, thank you, Marie.

Who would like to assist Marie at reviewing this? This is a two-page comment with a one-paragraph amendment. This is an easy one, especially for those of you with trademark experience. And Vivek, I hope you will have recovered from your experience on the previous comment to help Marie. Thank you.

And Mason, please, go ahead.

Mason Cole: Thanks, Steve. I just thought I'd add some insight as a former Donut. I checked on this amendment. What's happening here is ICANN's sort of late to the game. APNL Plus was created a couple of years ago, and what Donut - or what ICANN wants to do right now is just simply paper the contact with the change. So I'm not sure how much of a comment we really need to make because it's been in existence for a couple of years. I mean, with my experience with Donuts, I'm happy to lend a hand, if that's helpful.

Steve DelBianco: Yes, please do, Mason . In fact, if you could send a quick e-mail to Marie and Vivek and copy the rest of the BC, giving us your impressions of papering the change as you say. If you have any other color to add about whether TLD registry operators have been happy with it and registrants have been happy with it, then that would be helpful as well.

I realize you worked there previously. Don't violate any NDAs but share insights if you can.

Mason Cole: All right. Thank you.

Steve DelBianco: Thank you, Mason . That's it for the open public comments. When it comes to the long list of things related to GDPR, I wanted to call your attention to just two of them. I'll scroll the page down and get to the point.

On August the 20th -- this is right at the bottom of the screen in front of you -- ICANN Org published a new blog on a possible unified access model for nonpublic Whois. And they are publishing for community input, not a formal public comment period with a due date, but it's a comment that we need to step up and say something to.

And they are trying to do the next step of implementation in moving from the framework they published in Panama to try to come up with more of the details behind what an accreditation and access model would look like.

This is done in parallel with the expedited PDP on making sure that the temporary spec fulfills GDPR. And that's another story. But I think it's generally helpful that ICANN is showing continued momentum.

The BC will need to review the document referenced in ICANN Org's blog. And those of you who are helping to work on the accreditation model in conjunction with our friends in the IPC, we have a call on Monday for that drafting group, and I think we'll also discuss ICANN's model to assess where it is and how we should comment on it.

Are there any volunteers in the BC that now want to step up and promise to read and review ICANN's latest submission here?

Margie Milam: Hey, Steve. It's Margie. I'm not in the online room but yes, I'll try to help work on a BC comment.

Steve DelBianco: That's fabulous, Margie. I appreciate that. I know Mason 's part of that group as well and Tim Chen. Tim, thank you for assisting on that. And Mason . Great.

Okay. The only other thing I wanted to bring up is to turn it over to Margie Milam and Mark Svancarek as the BC's tireless volunteers on the EPDP. This EPDP -- which I'm scrolling up to the top of the screen right now -- is the expedited PDP on trying to move the temporary specification for GDPR compliance and moving into ICANN GNSO consensus policy as opposed to a temporary policy.

It is a huge challenge. As they say in the description in the policy calendar, there's two-hour calls twice each week. Plus we do three additional calls to do follow-up and prep for additional calls for follow-up and prep. We've completed reams of documents already and have two more that are due this weekend.

So Mark and Margie, why don't you help the rest of your BC colleagues understand the challenges we face and what, if any, we've been able to accomplish.

Margie Milam: Is Mark on the call? I'm just getting on my bus so it's a little hard for me to speak. If Mark's on - sounds like he's not. Okay, well, I'll go ahead and give an update.

Yes, we've been very busy on the EPDP providing input section by section of the temporary spec. And what you'll see, the group is working on is something called a triage document, which is one of the first deliverables, that identifies the areas of consensus on the different sections of the temp spec. And as you can imagine, there's virtually no consensus on anything.

So it's a - we're spending a lot of time arguing a lot of the points that probably were raised in the earlier PDP, things like purpose and ICANN's mission. But at this point, we're hoping to identify some areas of consensus so that we can share that with the GNSO. But at the moment, there is none.

And so I think Kurt as the Chair of the group, is trying to find a path forward to work through some of the issues so that we can actually make progress on this.

So I think that's all my observations. Steve, you probably have some additional observations.

Steve DelBianco: Yes. The BC is continuing to fight to make sure that in the temporary spec, when they said reasonable access to the nonpublic Whois, we want to define the minimum requirements for specificity and promptness to reply to a reasonable access request.

We also want to preserve that RDAP would be able to accommodate tiered access when and if entities get accredited and get approval from the Data Protection Board.

And we're even fighting hard on this sort of facilitated distinction that temp spec made. The board decided not to force registries and registrars to distinguish between legal and natural persons. They just said that they could all be redacted and dumped to nonpublic Whois. Well, we're pushing back on that as well.

We are a very small voice on this large PDP team. And we're under no illusions that we're going to be able to muster majority or even consensus support for the things that we seek.

I see two additional hands up. Mark, why don't you go next and we'll turn to Marilyn? Mark, since you're one of our representatives, go ahead.

Mark Svancarek: Mark Svancarek. I also wanted to mention...

Steve DelBianco: Not hearing you, Mark.

Mark Svancarek: Oh, I'm sorry. Can you not hear me? Hang on.

Steve DelBianco: Barely, Mark.

Mark Svancarek: Oh, you can hear me? Okay. How about now?

Steve DelBianco: That's perfect. Thank you.

Mark Svancarek: Yes, I don't want to take too much time. You and Margie already covered most of it. I just wanted to also mention that since Microsoft is in the Registry Stakeholder Group that I'm also part of the RDAP pilot process. And I just jumped over from the RDAP call right now.

They received a bunch of feedback from ICANN on their initial profile proposals. And I had submitted a bunch of feedback there, mostly related to universal acceptance but not entirely, which ICANN seems to have picked up and pushed back at them.

So I'm hoping that that - that as we get further into this EDPD process that I'll be able to continue to leverage our engagement within the RDAP pilot group to make sure that the actual implementations of the protocol successfully support everything that we need.

Right now, the protocol supports everything that we need. No one's planning to actually build that thing. No one is contractually obligated to actually do those things. So that's just another leverage point that we have.

Steve DelBianco: Marilyn, question?

Marilyn Cade: Yes, Steve. Thanks very much. Marilyn speaking. I do have a question for all of you who are participating. I'm observing. I can't take on any other role there except just observing.

But I have - I do have a concern about whether the chair is being as neutral in all aspects as we really need him to be and if he understands when he is not being neutral.

I've worked with Kurt. I'm looking at the list of people on this list here. I've worked with Kurt since the day he was hired at ICANN. And there have been times when I've -- I see John's on the call, also Margie and others -- there have been times when Kurt was - when he was on staff when he was very neutral and there were times when he was very directive. That's just human nature.

What I'm most interested in now is do we feel like given the real challenges we have of getting enough voices heard about areas we're concerned about, including from the GAC, from the LEA, from the IPT, etcetera, do we feel like the chair is being as neutral as we need. And then I see a question from Marie, which I would echo as well. Thanks.

Steve DelBianco: Thank you, Marilyn. Marie, Rafik has made no interventions whatsoever so nothing to say about Rafik. But with respect to Kurt Pritz, all of us working from the BC side as well as the IPC side became aware immediately that there were two practices that Kurt was using as chair that gave us a great concern.

The first was that he was affirming statements that some people would make, agreeing, suggesting they were great points, which immediately stimulated others to agree and sort of shuts down the other side who might have

countered those points. He was saying, I agree, great point, even before he heard the other side of the argument.

So we're not shy. So we have called Kurt and did a private call from the BC reps. The IPC did a similar call with Kurt just earlier this week. We raised it.

Kurt acknowledged you should be merely acknowledging comments and not affirming them. We also asked him to, instead of running down the queue, to ask, are there any opinions that are contrary to what we just heard to try to go back and forth and to draw people out to give an opinion as opposed to making it seem as if he's already decided to affirm what the NCSG for instance might have said.

So in both cases, when we did an intervention with Kurt, he was much better on the very next call. But we may have to repeat these interventions to continue to remind Kurt so that he's self-aware and hold him to being neutral in acknowledging what's said and not trying to affirm it.

Margie, Mark, do you have anything to add to that?

Margie Milam: Yes, this is Margie. And one of the things - Marilyn, yes, we've picked up on exactly that theme. But one of the things that I think is misunderstanding and it's something that we really need to portray is that consensus doesn't mean just the GNSO members of the working group. Consensus includes the representatives from the other supporting organizations and so the GAC, the ALAC and the SSAC.

And if you think of that from that perspective, Kurt sometimes thinks there's consensus when the NCSG and the contracted parties agree. But that's

actually a very narrow view. And he needs to take into account the more wholesome representation on the working group.

So that's something I think we need to raise because we just want to make sure that he's not calling things consensus when they aren't and that he's also separating his role, yes, as chair. He's supposed to be neutral and he's not the decider. And sometimes that - sometimes he acts as though he's deciding.

He'll actually say, so I've decided something and then he'll say it. And that's really not the purview of the chair. The chair's supposed to reflect the consensus within the working group and not make a judgment call.

Steve DelBianco: Thank you. Barbara Wanner, your hand is up?

Barbara Wanner: Thank you, Steve.

Steve DelBianco: Barbara, okay, go ahead.

Barbara Wanner: This is Barbara Wanner. We have a little echo. I just wanted to point out that on today's CSG Ex Comm call, there was some concern expressed looking at that page four graphic in the triage document about the extent to which the ISPCP appears to be more aligned with the contracted party house than with its colleagues, if you will, with the - from the IPC and the BC.

And there was some - there was no resolution about it but just an expressed commitment to try and come together, to work through our differences. And this may - at some point, we may have a closed meeting of the CSG to see how we can build bridges on this.

So I just thought I would bring that to the attention of Margie and Mark. And I'll keep you apprised as to how - what the consensus is within the CSG as to how we want to proceed on that. Thank you.

Steve DelBianco: Thank you, Barbara. Thomas Rickert of ECO is the one representing the ISPCP, and Thomas probably knows more about GDPR than nearly anyone else in the community group on this PDP. And he does have particular views, and they're very strict interpretations of the GDPR. And I don't think it's even reasonable to expect that Thomas will align with the IPC, the BC interests on this. The most we can do is to get Thomas to maybe dial it back a few notches.

And that would have to come from the ISPCP leadership if in fact we can cite instances where he's undermining the ability of ISPs to secure their networks or protect their customers. I think we're going to need examples like that because there isn't an automatic and assumed alignment between all three constituencies in the CSG.

Mark and then I see Marilyn's hand up again. Mark?

Mark Svancarek: There's a question about is Kurt neutral enough. I don't think his neutrality is really the issue. So as mentioned, he's very chatty and he talks extemporaneously and he makes a lot of side jokes and stuff like that.

And then when you mix that in with two factors -- one, that he affirms things and secondly, that he's not actually a subject expert on a lot of the technical details that are involved in, whether they're technical details of the law itself or about how, you know, the data is collected and stored -- he can be perceived to be affirming things that are just factually wrong.

And so that's not really a matter of neutrality but it does tend to empower things in an un-neutral way, if that makes sense.

Steve DelBianco: Thank you, Mark. We have only nine minutes left. So I see, Marilyn, your hand is up. Let's please make it quick.

Marilyn Cade: Thanks, Steve. I will. Marilyn Cade speaking. Look, I'm really worried about the fact that the only ISP representative is Rickert because he represents ECO, and ECO is a very strong player but heavily, heavily influenced by contracted parties in Europe. So it's not actually what I consider a neutral ISP.

Is there any possibility -- and I'm just raising this, Barbara, it's just an idea -- is there any possibility that we could get an additional at least participant or observer from the ISPs that are not part of the i2coalition or Aveco to add into the mix so that the voice that you've just mentioned -- you know, ISPs need this -- would be coming from the other - the rest of the membership.

And I mention - I'm going to throw out the idea of maybe asking ETNO if there would be any possibility that one of their members... Because ETNO is a member of the BC voting but they're a nonvoting member at the IPC.

Steve DelBianco: Marilyn, I'll ask you to make that outreach to ETNO. Please do.

We're next going to move to council. I want to make sure that Marie has the time to go through Channel 2 on council. I have it up on the screen in front of you. Go ahead, Marie.

Marie Pattullo: Thanks, Steve. Just about everything people can read and I really don't want to fill up this call with boring stuff but one thing that's crossing everything, not just council but also the EPDP and a whole bunch of PDPs is the way that

people are behaving. That's shorthand obviously but you know that there is a policy underway called PDP 3.3 to try to improve things. And I would say this is now getting urgent. WE have the RPM Working Group which is turning in a reduced circle and is getting stuck in a cul-de-sac. As you know, at council we had a long discussion about NGOs, INGOs, not about substance but about process. We now hear what's going on in the EPDP as well.

So the first thing I'm going to do is put a really big shout out, please. There's going to be a Webinar discussing PDP 3.3 in September. We don't have a date yet. We didn't have time to get to it on council. But when that comes up, Steve, I'm going to send you the details. And I'd be grateful if you can try and get as many of our colleagues on there as possible because we need a practical way forward here.

So having said that, very briefly, the final report on the Red Cross, that's been deferred. It's been deferred for the vote simply because the NCSG told us that they had issues with the legal basis but they wouldn't tell us what they were. So they're going to go away and talk about it and talk to some people in the working group. And then hopefully we can vote on that in September.

The GNSO review implementation report, that went through. Of course, there was no big issue there. And a big thanks to Lawrence for being our member on our group. Long discussion about the EPDP.

My question about Rafik was because Susan did raise this in council and was shot down with a thousand arrows. It was pointed out to us very clearly that the liaison role is independent, yes, and that we couldn't possibly have anyone else apart from council leadership to ensure that it was independent. Okay, I can kind of understand that. And we're losing both Heather, who is the Chair,

and Donna, who was the Vice Chair in the October meeting because of time. They're time barred.

So yes, it did make sense it was Rafik. Kind of had an issue, however, with him being Vice Chair and Liaison, which is completely against GNSO Council policy and he's NCSG. But you know what, that's just the way it is.

We had a very brief discussion about the ECCWG accountability reports. It's going to come up in September. This time NCSG said they will vote for it but they had issue.

So all in all, Steve, I'm circling back to where I started that we seem to have less of a collegiate atmosphere, if we ever had one. We seem to have a lot of sniping.

And we're all supposed to be there to actually make the Internet - make the domain name system, I'm sorry, work for everybody. And I think this is a reminder that we as the BC are perfectly placed to keep repeating with our big good faith hat. Thanks.

Steve DelBianco: Thank you, Marie. Really appreciate that. Any questions for our councilor?
Okay. Barbara, I'm so sorry, we've only left you four minutes. But please turn to you on CSG liaison. It's on the screen.

Barbara Wanner: Thank you very much, Steve. And I'll edit it down. And the other items that I need feedback on I'll do via e-mail to the list.

First one is that basically again the documents concerning the NCPH processes are back in the NCSG court. I think we're okay in terms of the process for board seat 14. Farzaneh took a cursory look at my extensive edits

to her process for GNSO Council chair selection and didn't seem to have any immediate concerns. But I have not heard back from her. I will follow up with her following this call.

I think quite honestly this document will be for subsequent GNSO Council chairs because we're kind of - I guess we have to nominate somebody by the 25th, which is what, Saturday. In any event, that's where things stand on that.

But what I do need BC's feedback on ASAP is the CSG representative to the IANA Functions Review Team. Given the technical nature of this, the ISPCP is putting forward Christian Dawson. I have not heard any expressions of interest from the BC. The IPC today expressed concerns that perhaps Christian was sort of anti-IP, so they wanted to revisit his nomination within their group and then come back.

But if any BC members have concerns about Christian, please let me know immediately. And then also, if you do have concerns, we need to put forward an alternate. And this is all due by the, I believe, the 29th of August. So we don't really have a lot of time to dilly dally with this.

So the ISPCP's candidate for the CSG position on the IANA Naming Functions Review team will be Christian unless both us and the IPC block it. Anybody have any comments concerning that?

Steve DelBianco: Barbara, it's Steve. I'll agree that Christian has a low regard for the balance between protecting IP and having ISPs have their way. I'll agree with that. And yet on the IANA Naming Functions Review, I don't see any implications that that would have. And I feel like that's a relatively harmless place for him to be.

And frankly, and when it comes to the naming functions that IANA does, particularly in the case of the constricted scope, I think an ISP would be a fine representative, and his view on intellectual property is not going to do us any harm there. I don't see a need to try to get in the way and block that and create a problem between us and the ISPs.

Barbara Wanner: Thanks, Steve. That's very helpful to me.

Steve DelBianco: Okay, that's it for the policy calendar, I think. Barbara, anything else from you?

Barbara Wanner: Yes. I have several topics concerning - you know, topics for our meeting with the GAC, with our meeting with the board and so forth. And I'll follow up on those via the BC private listserv. How's that?

Steve DelBianco: Okay, thank you, Barbara. Appreciate it. With only one minute left, back to you, Claudia.

Claudia Selli: Thank you very much, Steve. I'm also mindful of the time. So for ICANN 63, Chantelle took care of our request. And she will inform us as soon as she receives any answer. In the interest of time, I will give the floor to Jimson, if you have anything to report, Jimson, in one minute or two.

Jimson Olufuye: Yes, this is Jimson. Just quickly, I'll say that you will get a ballot shortly. So members should please vote expeditiously.

And then also if you have issue with your invoices, please reach out to me or to the inquesting secretariat. And thank you for your billings.

And then with outreach's plan for ICANN 63 so and for the rest of the year, so Outreach Committee, please take a look at the budget and then I want to encourage the committee to plan ahead.

Then the Meet the BC project is still on. Please send in your bio to secretariat so that we'll be able to print that Meet the BC documentation.

And also we started the process for newsletter for ICANN 63. So if you have any articles that would be of interest, please forward them to the secretariat as well. Thank you very much.

Claudia Selli: Okay, thank you very much, Jimson. If there are no questions or comments, I would adjourn the meeting. And the next one is on the 6th of September.
Thank you very much, everybody.

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

END