

ICANN

**Moderator: CHANTELE DOERKSEN
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Coordinator: The recording has started.

Maria Otañes: Good morning, good afternoon and good evening. Welcome to the BC Membership Call on Thursday, September 20, 2018. In the interest of time, attendance will be taken via the Adobe Connect Room and Phone Bridge. 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 speaking to avoid any background noise. With that I will turn it over to the chair, Claudia Selli, to begin. Claudia, please go ahead.

Claudia Selli: Thank you very much, everybody, for participating to the BC call. In the interest of time, I will leave the floor to Steve.

Steve DelBianco: Thanks, Claudia. Steve DelBianco here, your Vice Chair for Policy Coordination and Maria has put the policy calendar into the Adobe page. I emailed it yesterday to the rest of the BC members, so if you have it handy, open that up and you'll be able to click on the links.

Since our last call, we have filed four comments and letters, I'll work from the bottom up. On the 7th of September, we did a joint VC/IPC letter and that letter itself was to ICANN Org and we are asking ICANN to continue looking at the access, the accredited access model, since inevitably that will be led by or could be led by ICANN Org, the same way they led with the temporary spec and we included a quote from the Data Protection Board, indicating that

the responsibility for designing a model that will provide this access is in the first instance, up to ICANN.

So it would be great if the EPDP were able to eventually get to an accredited access method but at the same time, we want ICANN to continue to press on that, particularly using this notion where ICANN steps into the shoes of the data controller or at least a co-controller and that ICANN can run a centralized hub, using the RDAP technical protocol to receive accredited queries, to log them, assess their legitimacy and then fire them off to the registrars to provide answers back to ICANN, who relays to the accredited access requester.

So we laid this out in this letter and nonetheless, there are opponents of WHOIS who seem to resent the fact that we wrote to ICANN Org, even though we are actively participating in the EPDP. No apology is necessary for the action that the BC and the IPC took with this letter. There is no apology necessary, the things we are asking for are appropriate, particularly given that the majority of the EPDP Working Group is happy to punt any discussion of accredited access to some distant future date and we needed to keep that alive.

I'll take any questions on that particular one. This is the 7th of September, joint IPC and BC letter, it's only a page long and you can click on the link that I included if anybody has any comments to make on that. Margie Milam and Mark are just wrapping up the EPDP call, but I think I hear Margie's voice. Go ahead.

Susan Kawaguchi: That may have been me. This is Susan, but if Margie wants to talk first, that's fine.

Steve DelBianco: She's not on, Susan. Go ahead.

Susan Kawaguchi: So on the Council list, Darcy from the Registrar Stakeholder Group is expressing dismay and concern about that letter, so I mean, I guess we can just ignore her comments but we could also, you know, basically say what you just said, that, you know, we're just pursuing the - what ICANN started, basically. So for Marie and I, we need to know. Should respond on the Council list, with some sort of comment to Darcy or do we...

Steve DelBianco: Susan, if you feel - yes, if you feel the need to respond, let Margie and I draft a two sentence reply and it will be respectful but remember that ICANN Org, even though the EPDP is underway, ICANN Org has already published two iterations of an access - an accredited access model, a framework. So we know that there are parallel processes. EPDP is doing policy and at the same time and ICANN Org and other groups are developing an accreditation and access model. So we'll give you a couple of sentences to reply on that.

Susan Kawaguchi: Perfect. Thank you.

Steve DelBianco: Go ahead, Claudia.

Claudia Selli: Sorry, it's Claudia here. I just wanted to - to understand because I have been hearing, here in Brussels, because the Board is here as well, during a reception that basically what we have been asking is not permissible by law. So and I guess we're going to probably get similar answer, so I just wanted to get your sense on how you see this, if it's actually truly said that it's not allowed by law, what we are asking, or if they're already are just on the defensive side.

Steve DelBianco: I think we're confusing two different letters.

Claudia Selli: Oh, okay. Sorry, sorry.

Steve DelBianco: Yes, we're confusing two. The joint one on September the 7th...

Claudia Selli: Yes, the 7th, yes.

Steve DelBianco...is simply asking ICANN to continue working on its own accredited access model and remember, they published the latest one in late July. So ICANN is full steam ahead on trying to come up with that and in addition, the BC had been encouraging - I mean, you know, I don't buy in any of that, that anything we asked for in that joint letter is the least bit beyond the GDPR. So I mean, after all, we are encouraging ICANN to do what it is they are already doing so let's read the letter, it is only a page and a half long, everyone.

Claudia Selli: Yes, I saw that.

Steve DelBianco: We need to share the ownership as to what this is and if somebody says to you there's something in there appropriate [sic], just calmly say, "Well, really? Show me what you think is the least bit inappropriate about this letter. Which is not permissible under GDPR?" You're not going to get an answer, but do press for it and don't take it on faith that the BC has gotten in front of our skis on this one.

Margie Milam: Hey, Steve, it's Margie. I'm on the call if you want me to chime in.

Steve DelBianco: Please do, Margie.

Margie Milam: Sure, if we're talking about the BC/IPC letter and I apologize, I was having a hard time dialing in earlier. You have to remember that the charter express - it excludes anything related to the accreditation model, so we are actually not in any way inconsistent with the EPDP and as a member of the EPDP, I can tell you that we are definitely not talking about accreditation.

And so the way I look at this is that ICANN has chosen, and the community has chosen a separate track for accreditation and that is what this letter focuses on. A separate track, apart from the EPDP, which the EPDP does not, you know, have any coverage on and so what we're simply doing is asking ICANN to expedite that separate track and to actually take action with respect to the uniform access model and the accreditation issues. So it's actually very disingenuous of the NCSG to say that we're somehow circumventing the EPDP because they know we're not covering it in the EPDP.

Steve DelBianco: Remember, ICANN has published twice.

Margie Milam: Does that make sense?

Steve DelBianco: Yes, exactly, Margie, and ICANN has twice published a framework on accredited access and when they publish that framework, it's to be able to get some community feedback but also to make sure they get Data Protection Board reaction to it and they realize, ICANN is moving ahead on that track, in parallel to an EPDP that may never get to accredited access since it's so wrapped around the axle just trying to handle the non-accredited collection and processing of WHOIS data. Any other questions on that from BC members. Thank you. Thanks, Margie and Mark.

On September the 10th, we filed a comment on ICANN's draft strategic plan for Africa, the African market. I want to thank Jimson, Lawrence and Marilyn Cade for drafting that comment, we put that in on the 10th. On the 13th of September, we filed a comment on the draft framework for a unified access model for continued access to full WHOIS data.

This was a comment that was invited by ICANN when they published their latest iteration of a unified access model and it shows a lot of convergence with the work that the BC and IPC members had done. We think it's good progress and yet our letter, the one we just discussed, separately encourages ICANN to move quickly. So look, there's your evidence, everyone. ICANN is soliciting comments from the community on their independent track for an accredited access model at the same time we're working in the EPDP.

I don't know whether the NCSG and Darcy would say this but are they suggesting that the BC not comment when ICANN asks for comments? I don't think so. And so I think we're on the right track there and in that comment, we were able to work out a stronger level of support for ICANN's proposal, that it act as the central hub in an RDAP and take on more of the liability when it asks the registrars to provide data to an accredited entity.

And then finally, on September the 17th, this week, we commented on ICANN Org's recommendations for managing the internationalized domain names or IDN variants at the TL- top level (domains. Now, Mark Svancarek, despite all the work he is doing on EPDP, found the time to do a lot of research on variants and I think prepared a superb comment with a very technical focus and I want to thank Mark again for helping to get that in on behalf of the BC.

All right, moving to the currently open ICANN public comments. The first one is on the Domains Protected Marks List, Domains Protected Marks List. Now, Marie, Vivek and Mason helped to draft just a short paragraph reply, it's right there in the policy calendar. It's a single paragraph where we are supporting the proposed change to Donuts' policy. That will be submitted on the 24th of September, it's been in front of you for over two weeks. Any comments on that? Any final comments? Great, thank you. Sorry, only

change, Marie is putting there, harmonize rights/rightsholders. Marie, I'm looking at the comment to see whether it's in there. Marie, I don't see that word harmonize in there so if you have a change, I would need you to give it to us in context. I don't know how to take the words harmonize and blend them into this. Okay, Marie and make sure you send it to everyone, since that's due in just a few days.

All right, the second one, and this is a big one. This is the initial report from PDP, the Policy Development Process Working Group is looking at what will be the procedures for the subsequent rounds of new gTLD expansion. These comments close the 26th of December [sic], six days from today. I want to thank Vivek for pulling together the initial set of draft BC responses and Vivek drew from what we had written back in May of 2017 and I took Vivek's suggestion to put that into a Google Sheet since there are over 300 questions and recommendations and so I honestly believe that the Google Sheet provides a ready way for any BC member to go into that sheet, sign in with a Google account, a Gmail account, and indicate, put your initials into the cell, but indicate what your belief is, how the BC should reply to any of those questions or recommendations.

So Vivek seeded the sheet and I want to give a big thank you to Andrew Mack who, over the past couple of days, put in about two dozen special comments regarding outreach and in particular trying to -I think -alert and assist new gTLD applicants from lesser developed parts of the world, perhaps new parts of the world that are newly online and all of Andrew's comments are in that Google Sheet, but we're again, six days away and I would have expected greater attention and response to this from BC members. And again, your response could be from the perspective of a company that wants to protect its users and consumers by putting its own TLD, a brand TLD in that. That's an

appropriate perspective if in fact it's to serve your business registrants and users.

There could be any perspective. It could be rights protection, consumer protection, ICANN governance, freedom of expression, free enterprise, any perspective that's appropriate to the BC can make its way into this grid. I do ask that if you have difficulty accessing the Google Sheet, ask Vivek or I, we'll help and please put your initials into the cell so we know where the comment came from. I'll take comments or questions on that. All right, hearing none, thanks again, Vivek and Andrew.

Number three is next steps on reviews. If you recall, the BC commented in July on long term options and we also commented on short term options for what to do with having too many reviews going on at the same time. The ICANN bylaws call for 11 reviews, spread out over five years apart and that would mean that in any given year, you might start two or three reviews but the problem is, reviews last longer than a year. So now, we're at the point where, in any given year, we're having four, five and even now, seven reviews that are going on at the same time. So this is an attempt to relieve some of the volunteer fatigue by spreading out the workload and shortening the timeframe of what these reviews consume in terms of volunteer resources.

So we did comment on those. This comment period closes by October the 5th, which is not that far off, so Barbara and I had drafted those earlier responses but we could use some help from a BC member to look at ICANN's proposed next steps on these reviews. Next steps on reviews, so what ICANN has done is pull together the comments that were submitted, which included the BC and tried to indicate what - what they're doing is summarizing what they think everyone else has said. Any volunteers?

All right. The next one up is number four, it's a proposed profile for RDAP, that's the Registration Data Access Protocol. We've mentioned this many times, it's the replacement for WHOIS Port 43 in the temp spec, so it's going to be used for the public access to WHOIS but it's also proposed as the way to handle tiered access to the non-public WHOIS for accredited requests. I was very grateful that Alex Deacon and Tim Chen and Mark volunteered to draft the BC comments and I know that Tim, just earlier this morning, wrote to the other drafters about pulling together a response. Are there any other volunteers who would be willing to help Tim, Mark and Alex? Faisal, thank you for volunteering to help on number four. Tim, I know you circulated an email this morning, could you recirculate that and include Faisal? Thank you, Tim.

Okay. Number five, the WHOIS Review Team and Susan Kawaguchi co-chaired that as well as the WHOIS Review Team Number 1 that occurred five years ago. It's a community-driven review of registry directory services, we used to call it WHOIS. It, broadly speaking, is registry directory services and this is require under the bylaws as a community-driven review. Now Denise, Denise Michel has volunteered to draft BC comments and there's a template provided by the review team so we don't have to draft from scratch. We go into the template and fill it in. Susan, being a Vice Chair of the Review Team, not going to be listed as a drafter but I know that Susan volunteered to help. Can we have any other volunteers that would assist Denise in filling in that template? This is due on the 4th of November. Any volunteers who can help with that? It's the review of WHOIS and mostly it's looking at has ICANN Org implemented the recommendations from five years ago regarding the prior WHOIS review. It's not a very difficult one to work on, since it's looking back at a limited set of recommendations and the suggested template means that one doesn't have to write a lot of new prose. This, for instance, would be a great opportunity for a relatively new BC member who hasn't participated

before to help Denise pull together our answers in that template. Can I tempt anyone who's relatively new to the BC to help with that? Okay.

So moving on to WHOIS policies, we've talked a lot about it already on this call and we've discussed the background and what's going on with the EPDP, the Expedited PDP, so at this point, I thought I would offer Margie and/or Mark an opportunity to say where we are on the status of the EPDP and I've also indicated in the policy calendar that your next meeting will be in Los Angeles, it's a face to face lasting three days and we included in there the agenda for that. Margie, anything you want to add?

Margie Milam: Sure. We've been really, really busy prepping for next week. We've had four calls this week so it's been crazy. What's interesting is that ICANN has appointed a mediator to assist us in Los Angeles and so we'll - we're a bit skeptical of what the mediator will do but we're certainly willing to give it a try and see how - to how he can help us reach consensus on important issues.

The group has published its triage report to the GNSO, showing the areas of consensus so far in the temp spec and no surprise, there is no consensus on anything and so we have really an important event next week to see whether we actually can work on things and achieve consensus on some things.

The big issue right now is we're focusing on the data elements and the purposes and trying to delineate which group has a specific purpose for the data elements and that - it'll be telling to see whether we can reach agreement on that. So it's just a lot of work, really frustrating, no relevant areas of consensus for the BC at this point and I think we'll know more after next week as to whether this EPDP will actually produce something. I think I'll pause and wait for any questions.

Steve DelBianco: Margie, thank you. Yes. Margie, thank you, this is Steve. Thank you and for Mark, Alex Deacon as well, the BC members that are putting in a pair of two-hour calls for this week, we've had four two-hour calls. We followed them up with at least two one-hour prep sessions and follow-up calls so the amount of work that we are dedicating to this EPDP probably outdoes any prior PDP or working group that I've ever been part of at ICANN. Thank you again for dedicating so much of your life to this.

I will note that initially, we believed that the temporary specification could be copied and pasted into a consensus policy and that was the original hope and that is why we did a triage document, to say hey, can we bring this over from the temp spec and make it policy. Well, as Margie just described to you, there was no part - no sentence from the temp spec that achieved the consensus necessary to bring it over. So that triage exercise indicated that the patient is pretty sick and what we've done instead is perhaps work from the bottom up on a new consensus policy that may or may not draw from the temp spec.

That's not good news from the perspective of the BC. It means that many parts of the temp spec, which we believe had locked in certain principles are no longer taken for granted. We'll have to fight from a bottom up, zero-based method, we'll have to fight for anything that we're seeking to get and we are badly outnumbered on this working group. Thanks again, Margie.

With that, I wanted to turn to Susan and Marie. Marie, I know you're not well, but Susan, if you could take us through Channel 2, the Council and we have already covered what happened on the 16th of August so we can go straight to the agenda for the Council meeting on the 27th of September and I have it up on the screen from the policy calendar. Susan?

Susan Kawaguchi: Okay, unfortunately, I'm driving so I can't see anything and I don't have that committed to memory.

Steve DelBianco: I can tell you what it is. The first was your vote to approve the CCWG-Accountability Work Stream 2 report.

Susan Kawaguchi: And that, I think we will vote to vote yes on that. We should affirm that.

Steve DelBianco: Great. I think so, too. Item 5 was a vote to adopt the final report on making protections for certain Red Cross names in all gTLDs and that would require a super majority of Council.

Susan Kawaguchi: And that, I think, the Council will agree to, too, also.

Steve DelBianco: Thanks, Susan. Number six.

Susan Kawaguchi: They should vote yes.

Steve DelBianco: Yes and if any BC member has a question for Susan on the particulars, please raise your hand. I'll call on you because Susan can't see the Adobe. Number six was an update that you will receive from the Auction Proceeds Cross Community Working Group and Marilyn is our CSG rep on there, we also have Waudo and Tola who are on there. So you're going to receive an update and Marilyn, Waudo or Tola, if you have anything to add on that, tell us now.

Okay, moving to number seven, which is you're going to receive an update on the temp spec and the expedited PDP and Susan, that should be interesting, because where you stand on that depends on where you sit.

Susan Kawaguchi: Yes, I would imagine that - yes, I would imagine that'll be a little controversial and I would expect harsh words from many stakeholder groups due to that letter so, but we can handle that.

Steve DelBianco: We should. We really should not in any way be defensive or apologetic over that letter. In fact, say to people, I'm glad you brought that up, because here in the letter, we're recognizing there's a dual track going on between accredited access and all other forms of policy regarding WHOIS, so what part of that am I getting wrong? Susan, thank you very much, appreciate that and any BC member wanting to listen in on the 27th of September, if you go to the policy calendar and click on agenda for that, it'll include the ability to listen in to the Council call. You're unable to participate on the Adobe or speak, but you're able to listen in.

All right, with that, Barbara Wanner, I was hoping to turn it over to you, for Channel 3, as our CSG liaison. Barbara?

Barbara Wanner: Yes, thanks, Steve. I'll just focus on three things today. The first thing is our - was our call yesterday with Rafik as per our consensus agreed procedures on the process for nominating a Council, a GNSO Council Chair. I think and Jimson was also on the call, so I encourage him to add his thoughts, too. I would say on balance, Rafik did a good job. He pledged to be neutral, he acknowledged Heather's leadership and how she provided a wonderful model to emulate, going forward and he did make the very good point, I felt, that not, you know, do we just concede and cave in that all GNSO chairs are from the contracted party house? He emphasized that he was - felt it was important to keep the process competitive and balanced and change the dynamic as far as this goes.

So those were his main points as I say, I encourage Jimson to jump in with his thoughts, too but importantly for the BC, the CSG Ex Comm will have a call on Monday, so I need a BC (decision) on how - on whether or not we support Rafik's nomination.

Steve DelBianco: Barbara, it's Steve. I know that you have noted this before but starting in the San Juan meeting, BC had approved an endorsement of Keith Drazek who at that time had indicated he wanted to serve as Chair of the GNSO Council and Rafik's nomination has only come about in the last two weeks. So unless the BC membership asked for a change, I don't think that our Councilors would change their vote from Keith and our Councilors operate under instructions from the BC. That's my impression of it, but Barbara, I would ask you this, within the NCSG, if it's Rafik or nobody as the NCSG candidate, perhaps it's possible for the BC to say that yes, we would support Rafik as the only NCSG candidate within the NCSG, the decision arising from the NCSG. We could do that but I want to be transparent about the fact that when it comes to Rafik versus Keith that we had already agreed to endorse Keith.

Barbara Wanner: Right.

Steve DelBianco: So that's a subtle discussion and I don't want to cause hurt feelings on the part of Rafik and the NCSG if they believe that we're being sneaky about it. We're not, we're trying to be transparent about what has transpired so far. So I would offer that as an insight and interested to hear what you and other BC members have to say about that. Looking for hands.

Barbara Wanner: Okay, I think that's -

Margie Milam: Steve, this is Margie, if I could be in the queue.

Steve DelBianco: Okay, first I'll note that Claudia agreed on my assessment. Barbara, I think you were replying and then we'll go to Margie.

Barbara Wanner: No, I think that's - it's hard for me to - quite honestly, it's been hard for me to read the CSG. The IPC responded favorably to a couple of Rafik's points so, you know, I thought we were going to have pretty much a unanimous decision by all three constituencies that we would not support his nomination but now, quite honestly, I don't know. So I'm interested for other people's thoughts. Thank you.

Steve DelBianco: I'm going to call on Margie and then Jimson and think about whether it's possible that the CSG says that yes, the non-contract party house has a candidate and it has - that candidate is being supported as the candidate, but the ultimate election would depend on the other candidates and an endorsement of Rafik at this stage of the nomination does not indicate a guaranteed vote at the Council.

Margie Milam: Okay.

Steve DelBianco: Margie, to you first, and then Jimson.

Margie Milam: Sure. And I mean, this is difficult because I just have never seen Rafik as a strong leader. And honestly, he's not doing a good job as the - being really, I don't know, representative of our house.

And so, I think there's marked positional differences between the NCSG and the BC. And it's not - I mean, it's just the way it is, right. We see it on the EPDP at the moment. But I've never seen him to be a strong leader.

And I think that's the thing that - of everything that really kind of pulls me back to think about how effective would he be in the GNSO council chair position?

You know, have you seen him - or, you know, I'm asking this collectively of the BC, have you guys seen him in a strong leadership role? Has he been able to cross differences, you know, philosophical differences and create a consensus and help build consensus?

Honestly, I haven't seen it. As much as I have a different perspective from the registries, I actually think Keith Drazek would do that. I think he's got a lot of integrity. He's willing to listen to the other side and to find compromises.

And so I'm just worried we're just going to have a very divisive counsel if we Rafik as chair. So, I don't know. Maybe it's too harsh but that's just my perspective.

Steve DelBianco: Margie, this is Steve. You just explained why the BC decided to endorse Keith woman met in San Juan. That's exactly what that was about. And there is no proposal to change that from any PC member so far, is that, it came to an election, we would go for Keith.

The decision before us did a different one, Margie. We have a process we don't design and it's a process by which the non-contract party house may forward a candidate from that house without a guarantee that every counselor from that house would vote for that candidate.

But if our house is to have a candidate, we have a process by which to say he's our candidate. And Rafik is the only candidate for that role. And for us to

say we don't even want to endorse him to be on the ballot will create more problems than it solves.

So we can say that when it comes to the non-contract party house, having a candidate, we will back one candidate representing the house. But we have to reserve the right at our counselors select on the BC preference when it comes to the ultimate election between the non-contract party and the contract party candidate. Jimson.

Jimson Olufuye: Yes, thank you, Keith. This is Jimson. I was on the call and I'm satisfied with the responses that Rafik provided to my questions. But last year, I had my first experience co-chairing with him.

And I think I will agree with Margie (unintelligible) impressed. Yes, he answered the questions well yesterday. But on principle, he (unintelligible) with Steve offline with the (unintelligible).

We are ready have a process so let's follow through the process but eventually we'll have a preference when it comes to an election. Thank you.

Steve DelBianco: Andrew Mack.

Andrew Mack: Yes, Steve, can you hear me?

Steve DelBianco: We do.

Andrew Mack: Okay, great. I guess I'm just a little concerned that this doesn't, that's too complicated. I agree with you 100% about the analysis about Keith and the fact that – what Jimson just mentioned, that if we made that as a decision, we should stick with it.

My understanding, based on what you both just said that is that the student, but the conversation with Rafik, that if he doesn't know, that my concern is that this just appears to blindside him.

I wonder if there's not a way that we can back channel it somehow or another or have just a direct conversation with him and say, hey, we're very much in favor of this principle that we would support our side of the house having a candidate, but we have already made this decision and we don't want to go back on it.

I'm just - I'm mindful of the optics of saying on the one hand, we are - we support the idea but we don't support you personally. If you think that there's a way that we can explain that in an off the record or a quiet way. Does that make sense?

Steve DelBianco: It does. That's precisely what I was indicating earlier. So I agree and we're going to have to work out how to explain that. I just got, moments ago, an email from Farzanah asking whether I would speak favorably about Rafik.

So, we're going to confront this in the next few days. I would still suggest that we try to give Barbara the input so that Barbara can synthesize this and come up with a plan. And, Barbara, you're next in the queue.

Barbara Wanner: No, I just wanted to say I'm just following up on everybody's comments. In this call, (unintelligible) of the ISPCP kept emphasizing the fact that this process focuses on the nomination, not the ultimate election.

So basically, this is a point that you've been making, Steve, so that I don't know whether he's suggesting that the ISPCP may support the nomination of Rafik but then vote as they see fit what we ultimately select a chair.

But I don't know. I'll learn more on Monday. So I would appreciate knowing how you want me to convey the BC's view on this call on Monday and how to approach this in a back channel manner, if you will.

Cheryl Miller: This is Cheryl. Can I also get in the queue?

Steve DelBianco: Thanks, Cheryl. Cheryl, I have Lawrence and then Cheryl. Lawrence.

Lawrence Olawale-Roberts: Thank you. This is Lawrence for the record. So within the very last - I guess this is number 12 now on the, you know, the election rules for the non-contracted party house, it explicitly states that, and I believe on the last call that we had, the reason why, you know, (unintelligible) to Rafik after the BC had taken a position was the part that this rule, or we have this process, election process, that we wanted to fulfill every (state) of this.

But the last leg of it, so, that if there isn't a consensus of some sort, within our party, then the non-contracted party house is not supposed to put forward a candidate.

I think - and then in line with, you know, Mark's view, I think we should explicitly of the BC, state that we've given our support to the contracted party house candidate.

And based on that, if the others don't - if the other two online or even if they don't the line, I still see that as being able to use the very last leg which is the

number 12 in- to stop our - the non-contracted party house and putting forward Rafik's candidacy.

Perhaps we are saying that this process will (unintelligible). But if we are going by - if we go by what has been stated as the process for us to be able to put forward the candidate, then we shouldn't - I don't expect that we should get to the point where we will have our counselors, you know, voting against - I mean, voting for one of Rafik or the candidate and the CSG. Thank you.

Steve DelBianco: Thanks, Lawrence. Cheryl Miller.

Cheryl Miller Thank you. So, I agree with the comments regarding this being very delicate optically and so I do think we need to be very careful about it. Obviously we want to be respectful of the process but we have agreed that we would support Keith.

And I agree with everything that was said about Keith. I think he is certainly a consensus builder and he is someone that will do a great job. And so, from the standpoint of being supportive of what's going to be best for the BC ultimately, I think we need to remember that.

And, you know, we've gone out and given our support for him. And so, I just think, you know, in public very carefully how it's positioned, but I do think we need to continue our support for him as a candidate.

Steve DelBianco: Thank you, Cheryl. Keep in mind that when we decided to endorse Keith, it was a time when no other candidates were even nominated. That was in San Juan.

To be fair, we should follow the nomination process from our house and Barbara has to lead our effort and doing that on Monday in CSG. And I think we can say that if our house is to have a candidate and we have only one, that we would endorse the process to put a candidate forward.

And yet we should be transparent to indicate that the BC will evaluate which candidates to support when it sees the full slate. And I would also indicate that, back in San Juan, the BC was deciding - decided at that point that it was happy to back Keith Drazek. So that the qualifier in order to be transparent.

Cheryl Miller: That's right.

Steve DelBianco: So it doesn't seem as a bait and switch or a surprise.

Cheryl Miller: That's right, Steve.

Steve DelBianco: Well, I hope that all of this, Barbara, is in some way helpful, but if you wish to summarize or come back with your proposed way of handling it, we could send it to BC private and I'm sure that you would get a lot of support from others who were willing to help.

Barbara Wanner: Okay, so, no, I like the way you articulated it as a way to respect the process but also the transparent, that we will evaluate who ultimately - our counselors will evaluate who ultimately to go for and that, quite frankly, we did endorse Keith way back at the San Juan meeting.

So, I think, you know, to count on our counselors voting for Keith. What I will do...

Steve DelBianco: I would always remind them that the BC works under directed voting, that are counselors about pursuant to the BC's membership's preference because if you recall, we have been critical of the NCSG in the past when they would actually support a candidate like Heather, only at the last minute to have a handful of the counselors switch.

So we don't want to create the impression that are counselors alone would make the decision. They would make the decision based on BC guidance, but in the interest of transparency, the BC membership discussed this and unanimously was willing to back Keith what we talked about it in San Juan.

At that time, Rafik was not a candidate so we'll re-examine that if Rafik is the NCPH nominee, but let's be transparent about what we had discussed earlier. How about that?

Barbara Wanner: What I would like to do is just sort of type of what I will say. And I'll circulate that to BC private. It will basically be based on what you just proposed, Steve. How does that sound to people?

Steve DelBianco: Yes, I think great to me. Lawrence, your hand is still out. Go ahead. Okay, Barbara, that's it for that part. I'll put it back to you to move on to the rest of your agenda.

Barbara Wanner: Okay, let's see here. I'm sorry.

Steve DelBianco: Barcelona questions for the board.

Barbara Wanner: Okay, Barcelona questions for the board. You know, we are - I don't want to take up too much time here, but I think we should decide among ourselves for our 90 minute meeting with the board, it's been proposed - or I proposed

again that we do a coordinated CSG segments focused on GDPR, WHOIS, EPDP, et cetera.

So we might decide who we want to be the BC's participant in that coordinated presentation, if you will. But then, I also think we should consider who we want to ask - posted other questions to the board.

Specifically, what ICANN has been doing to engage the ITU at the upcoming plenipotentiary in view of its desire to encroach on ICANN's remit, what ICANN has been doing to build support for the multi-stakeholder process and the IGF, a question of that nature.

The second question would be for thoughts on community comments on the option proceeds miles - models. So, if members want to put forward what - you know, their preference to pose certain questions during the board meeting, is that how best to proceed, Steve? Or to consider who we would designate to speak on the BC's behalf in that coordinated segment?

Steve DelBianco: Yes, we don't typically handle that here on the BC call. We'll work that out.

Barbara Wanner: Work that out...

Steve DelBianco: In the ex-com. In the ex-com and email, sure.

Barbara Wanner: Okay. All right. And then also - okay, then maybe what I'll do, too, with respect to our CSG meeting with our GNSO appointed board members, I'll also run that through the ex-com as to who wants to take responsibility for posing what questions.

Steve DelBianco: Thanks, Barbara.

Barbara Wanner: Okay, and then the final thing to raise, and this is where we do need BC input, as the board would like to CSG's thoughts on two questions. This would be in anticipation of our session with them at ICANN 63.

And they are due to the board on October 1. So we can't drag her heels on this. What would be our main priorities for 2019 and how should ICANN's multi-stakeholder model of governance and policies development evolve?

So I need some thoughts on that. They don't have to be elaborate. They can be in bullet points. And I will feed those into the CSG and the CSC will present, you know, a compilation of how we would like to address those questions.

Steve DelBianco: Barbara, if you don't receive a reply on that in the next three to four days, it might be worthy to send another reminder to BC private repeating those questions.

Barbara Wanner: Okay. Yes, I will.

Steve DelBianco: The BC members, this is an opportunity to influence the conversation. And you can't wait until show up in Barcelona to do it. We need to get these particular thoughts on those questions pulled together prior to October 1. Anything else, Barbara?

Barbara Wanner: No, that's it for me. Thank you.

Steve DelBianco: Claudia, that to you.

Claudia Selli: Yes, thank you, Steve. So very briefly I wanted to update the members concerning the ICANN 63 activities. So, on Tuesday, the 23rd, were going to

have the BC open meetings starting at 9:00 instead of 8:30 - the closed meeting, sorry, and then the BC open meeting at 3:15.

For the BC open meeting, we tried to reach out to the contracted party house but they are not available. So we are inviting David Conrad for discussion with him.

And also we're going to have the outreach event on Monday, the 22nd of October. And I think that's all that I wanted to convey.

The other thing, I want to congratulate Cheryl for being elected chair-elect for NomCom. Cheryl, I believe you are on the call if you want to say a few words or give us a short update.

Cheryl Miller: Sure. Thank you so much, Claudia. So, I have been nominated chair-elect. I'm really happy and I'm excited. I want 2019 to be a great year. Damon Ashcraft, the IPC constituency, is chair. And Zahid Jamil, of the BC, is our associate chair.

And so a lot of CSG present and noncom leadership this year. I think that we certainly have a transitional year - a transitional couple of years ahead of us. And so I will be certainly looking to the BC and the noncom members on the BC for some really good input with respect to solid board candidates.

As you know, our slate from North America and Europe, we don't typically have any shortage of applicants from those regions. But we do need to find good candidates from Africa, Latin America and Asia.

And so I know that the BC has been doing some incredible outreach with respect to BC members from that area. And so I would call on you to start thinking about the board.

You can look online. The board itself actually provides the noncom each year with a list of qualifications that they think that they're seeking in terms of how to bolster the talent that they already have.

And so I would really: you to take a look at that. In addition, the other constituencies, and NCSG, they have also provided inputs with respect to some qualifications that they believe is best for their leadership.

I don't think GNSO has done that. Or if they have done it, it certainly hasn't been public on our Web site. And so I would encourage the GNSO to kind of come together and think about that in the future because these documents are, you know, they're things that the noncom can look to and really rely on when they are looking at candidates.

Any can be a very helpful tool. I think that there are some qualities that you want in the GNSO position that perhaps maybe aren't as important in some of the other positions.

And it's important to highlight those. For example, I think you certainly want someone who is very skilled and in-depth in terms of policy, et cetera. And so, I certainly look forward to a great year and I'll certainly be hoping to liaise with you all more - on a more frequent basis.

And also just want to thank you all for your support for me over the past two terms as your representative. I've really appreciated it. And if anyone has any

questions or comments, please feel free to contact me, not only on this call, but to contact me after as well. Thank you so much.

Claudia Selli: Thank you, Cheryl, and certainly I would value closer collaboration so this is really good. Thank you. And if there are no questions right now, I would pass the floor to Jimson.

Denise Michel: Hi, this is Denise. And I apologize, I'm not in Adobe Connect. But I have just a brief comment before we move on to accounting, if that's okay.

Claudia Selli: Sure.

Denise Michel: Thank you. This actually relates to a few things that we've discussed on the call today. Last week the board approved the DNS root KSK rollover. It's noteworthy, I think, for us because it illustrates what I think is a systemic and very serious problem within ICANN.

As with many other issues the BC had provided very substantive comments and requests for action relating to the rollover. These questions and recommendations largely were not addressed, really, at all.

Staff provided a very cursory response and really just one issue of many issues raised in the BC comments. And in doing so, cited someone who they were paying, actually, to work on the KSK rollover.

The larger - so it's a point of concern. But the larger issue is that the last time we met with the CEO, he did not reply to a request that staff and board actually respond to the substantive questions and issues that the BC and other constituencies raised in the public comment process.

I think this is a quite serious and growing problem within ICANN that affects all of the constituencies. We can't really claim to have a bottom-up multi-stakeholder process if, when the important issues are put out for public comment, those thoughtful comments of the constituencies simply are not addressed.

So I think this is an issue that we should raise with the board members in our interactions in Barcelona and open up a more serious dialogue with the CEO on it. Thanks.

Claudia Selli: Thank you, Denise. If there are no other comments on these, I will past the floor to Jimson for the updates.

Jimson Olufuye: Okay. Thank you very much. This is Jimson. Let me offer congratulations to Cheryl. I think it's a mark of confidence on the value that the BC is adding to ICANN over time.

And also buy-in to Denise's comments and glad she raised this issue. Now on the operations, first is the new BC members meeting time. Following the successful commission of the BC Council and NomCom elections and the considering then need for all of our counselors to be on bi-monthly calls. The leaders now reason that it is necessary for us to consider a change in the meeting time. In particular, the (SSR2) call with Scott, our new counselor, is a member (conflict) time, which overlaps with our meeting on Thursday, 15:00 UTC.

Ex-com considered many options and we, at this point, Wednesday, the same time (15:00 UTC). So, at this point, ex-com is seeking members with no objections to the change of the regular meeting period from Thursday at 1500 hours UTC to Wednesday at the same time, 1500 hours UTC.

The Chair may formalize this. Okay, seeing no objections, I take it that is encouraged. Okay, secondly...

Steve DelBianco: Jimson – hey, Jimson, it’s Steve. I...

Jimson Olufuye: I want to thank all members (that have paid) – yes, Steve, please go ahead.

Steve DelBianco: Jimson, I just wanted to remark that why don’t we send an email to the entire BC private about the (tentative) acceptance of a Wednesday call instead of a Thursday call? There are many members who are not on this call, didn’t have a chance to weigh in yet.

Jimson Olufuye: Okay, so, we’ll send an email to members. Okay, thank you. Yes, we’re still around 80% of membership dues paid. And if anyone has a challenge, please do let me know.

And I will begin to reach out to members directly now to (determine what their status is) or if anything has changed. Claudia already talked about the outreach during ICANN 63. So, it’s still scheduled Monday around 6:30. And Marilyn will be coordinating that. At the same time, I’ll be speaking at this Asian Pacific ICT Alliance conference in China, October 11 and 12, so it’s an opportunity for me to reach out (in care of) the BC to business leaders in China.

And in addition, the outreach plan during ICANN - during the AfICTA two weeks ago, we met (to) - I want to note that are chair, most likely to be speaking, Claudia, Andrew Mack, Marilyn Cade, and other members (will be speaking at that summit).

Then lastly, the Meet the BC flier, this is going to be a final call- we are going to send a final call by email to all members as to that - if they get permission to respond, we will go ahead with it for ICANN 63. Otherwise, we will wait for a future meeting. So, that is it for me. I don't know there are any questions or comments. If there are none, I will just hand over - headed back to the chair. Thank you.

Claudia Selli: Thank you very much, Jimson. Are there any AOB to be raised, other points? No? If there are no other points or questions, I will adjourn the call and we'll talk in two weeks' time.

Maria Otones: Operator, please end the recording.

END