
CHANTELLE DOERKSEN: Good morning, good afternoon, good evening. Welcome to the BC members call on Tuesday February 19th 2019. In the interest of time, attendance will be taken via the Adobe Connect and on the phone bridge. I would like to remind all participants to please state your name before speaking for the transcript and to keep your phones and microphones on mute when not speaking to avoid background noise. With this, I'd like to turn it over to our chair, Claudia Selli to begin. Claudia, please go ahead.

CLAUDIA SELLI: Thank you very much, Chantelle, and welcome, everybody, to the call. I would leave the floor straight away to Steve for the policy discussion.

STEVE DELBIANCO: Thanks, Claudia. I sent a policy calendar around yesterday. Let's dive into that. Since our last call, we have filed a handful of comments. On February the 8th, we put in a comment on the ICANN draft operating plan and budget. Thank you, Jimson, for putting that in.

On the 11th, we filed a comment on ICANN's strategic plan for 2021 to 2025. Jimson Olufuye and [Time Chen,] thank you for drafting that. On the 17th of February, we put in a joint comment, the BC and the IPC, on the expedited PDP on how to integrate GDPR and WHOIS. I'm going to cover that a little later in the call when we have a broader discussion of our strategy moving forward. But thanks again to Margie and Mark, who are not on this call because they are still on the PDP call that we've been

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doing for the last two hours, and I'm sure they're going to be on there another hour at this point.

Let me move to the open public comments right now to see what we have to review and what we need to acquire some additional volunteers. First open comment is on the specific reviews. Specific reviews are things like the WHOIS review, the new gTLD review, SSR, security, stability and resiliency. These reviews are mandated in the bylaws because we've brought them over from the affirmation of commitments.

There have been a number of consultations on this, and at this point, staff has addressed what they think are comments. That included two from the BC. I had hoped that BC volunteers [Tola, Scott] would be able to honor their volunteering to do a draft, but they have not done so. Those comments close in just a couple of days, so it looks like the BC will not be commenting on the specific reviews.

The second one is a consultation on a two-year planning process. ICANN has put out the idea that instead of budgeting every one year and asking for comment, they're proposing going with two-year budgets like some state legislatures do.

Jimson, our vice chair for [finance] administration and chair of our finance committee believes that one year is better, and Jimson, the drafter of our comment, has it in front of us for final review on today's call. This is attachment three to the policy calendar where Jimson lays out the reasons for why he believes we stick with a one-year budgeting cycle. It's a great chance for BC members to weigh in on how you feel

about Jimson's draft comment. Are there any comments one way or the other?

Chantelle, let me know if Jimson is on the line too.

JIMSON OLUFUYE: Yes, Steve. I'm okay with the draft as it is. No further comments. Thank you.

STEVE DELBIANCO: Thank you, Jimson. Jimson, no other hands are up if you're not in Adobe and can't see it. So without objections, Jimson, we'll consider that your draft comment will go in, recommending sticking to the one-year planning cycle. Jimson, thanks again for drafting that. Appreciate it.

The third item in the policy calendar is the initial report on the customer standing committee and its effectiveness. This is a report that's put out on which we make a comment. John Berard, who's on today's Adobe, drafted a couple of weeks ago a BC comment. It's attachment number two to the policy calendar.

John has, I think, really correctly focused on the idea that for liaisons to the CSC to do their job, they need to show up at the meeting, and this is a great opportunity to take a shot at the fact that a BC member was not selected as a liaison, someone else was, James Gannon, who has missed far too many of the meetings to really provide adequate oversight for the standing committee.

John has about a one-page comment, it's attachment number two. John, is there anything you want to add to that? Because I'd like to review it and finalize it on today's call.

JOHN BERARD:

Thank you, Steve. No, I don't think there's anything to add to it. In fact, because the nature of the Customer Standing Committee is technical and because the technical members of it seem to be doing exactly what they need to be doing and there's great [inaudible] between the contracted parties and the committee that now handles what had been some IANA functionality. I think it really just falls to poking the erratic participation of the liaisons, because so much of what we do depends upon what we're told by our fellow community members. So if the liaisons are not steeped in what's happening, then it's hard for the rest of the community to be confident that what's happening is being done correctly.

So I just think that making the point, effective communication in ICANN is essentially a giant game of telephone, that we ought to have the operators be a bit more diligent.

STEVE DELBIANCO:

Agreed, John, and I think your comment is very well-written. Are there any BC comments on this? We're going to be filing it on the 25th of February. Jimson, do I hear you? John, thanks again for your work on that. That's [it for] the currently open public comments, and ICANN typically throttles back on the number of open public comment as we

walk into an ICANN meeting such as Kobe, thank goodness, things slow down a little bit.

I now want to turn to, I think, what is the major topic before us when it comes to policy, and that is the BC's plan going forward, two steps in front of us on adopting WHOIS policies to the GDPR. There's a long list of items that I have on the screen in the policy calendar, but I think that what we have to focus on is the current state of affairs. So I will ask you, Chantelle, please load the first attachment, the diagram so I can contextualize this a little bit.

A number of you know that over the weekend, we spent many hours on the phone with the IPC and the BC determining what our position would be inside of the PDP working group on a consensus call. It's not at all clear that that consensus call would be an up or down on the whole report, although we could offer that. It is likely to be a consensus call on different recommendations addressing various parts of the PDP phase one report.

The diagram I have in front of you tries to focus on the distinction between things that are covered in phase one – and that is the left-hand side of the diagram – and things that are covered in phase two, which is the green area on the right of the diagram, the unified access model.

There are a number of details that we could not come to agreement with in phase one, and they have been punted into phase two as well, so now phase two includes some other things.

So over the weekend, we took a look at the phase one report and measured it against the BC comments on the initial draft or phase one,

and BC got nearly – well, nearly nothing in terms of the things that we had asked for. We are completely outvoted on the PDP working group, and when it [turns to] council, we are again going to be outvoted if the NCSG ends up aligning with the contract parties and the ISPS. That leaves only the BC and the IPC standing alone.

We have limited leverage, but I have to credit members of the BC on this PDP. They created additional leverage by coming up with an extremely well-argued and reasonable set of fixes to phase one. And that is mentioned in my policy calendar as the joint BC and IPC comment where we ask for just six recommendations to be modified in order to get our consent.

There was zero expectation we would get all six, which would create a question as to whether our EPDP reps, Margie and Mark, would vote for or against consensus on the first report, phase one report.

I want to remind you that we do not have the ability to block consensus on the phase one report. As of the current head counting by the chair, Kurt Pritz, he's going to conclude that there is sufficient support, that the final report will go to council. Probably today if not tomorrow, it'll go to council. It may be delayed an extra few days, but no later than next week if we go to council.

At that point, council has to determine in a single motion that's been drafted for council whether to approve phase one reports to replace the temp spec and to simultaneously launch the right-hand side of the diagram on phase two, the unified access model. When I left the call on

EPDP about ten minutes ago, we were deep in our second recommendation on recommendation 18, which his lawful disclosure.

Disclosure's in the lower left-hand corner where somebody makes a disclosure request for a contract party and lays out the purposes, and the contract party then weighs it under [6(1)(f)] balancing test in GDPR and decide whether they're going to reply with the information we asked for.

We are, right now, fighting over trying to get the contract parties to agree that their evaluation of our request should be reasonable. And believe it or not, we got that win this morning. They agreed that they have to do a reasonable assessment.

What we also [fought for in] saying that 95% of their responses in the lower left-hand corner have to be within 15 days. Now, 15 days doesn't nearly help BC members solve an existing phishing attack or denial of service attack where you need WHOIS to chase down the origins of the attack. 15 days is ridiculously long, and yet a 95% service level agreement on that is encountering fierce resistance from a couple of the contracted parties – not all of them – and of course the NCSG.

So we are not – I can confidently predict we will not get all six of the things that we've asked for, and therefore, our reps on the PDP, what I'm recommending is to allow them to work the dynamics and to vote yes or no on consensus in PDP knowing that the report will still go to council for its consideration either this Thursday or next week.

So I'm happy to take a queue on the PDP part of this, and then we'll turn to council and get Scott and Marie involved. Any questions? I see Claudia. Please, Claudia, go ahead.

CLAUDIA SELLI:

Steve, I think it would be good maybe also to understand the consequences of a favorable vote or a no vote. And in particular, what if we decide eventually to vote against the report and if also other constituency, NCSG for example, vote on the same line and disrupts the whole process? Can you maybe set a little bit the scene to start with?

STEVE DELBIANCO:

Thanks, Claudia. Inside of the PDP, the GAC, the SSAC and the ALAC, they do get to indicate their level of consensus. SSAC has already indicated they would not object to the report going forward, GAC will not have a position, they're not often able to come up with a position unless they're at a meeting where they can discuss and vote. SSAC is going to support the report, as are the contracted parties, and the ISPs.

The NCSG has indicated that they would support the report, although they have concerns, and the only two parties indicating now they would say no are the IPC and BC. And the implications for that, Claudia, are minimal since it will not block the report from going to council.

So I do not see a significant consequence for us voting no in PDP. I'm not talking about council, I'm talking about the PDP. Now, in that PDP, we still have to create relationships and alliances with contracted parties and the ISPs so that when we get to phase two, they'll support and

commit to a unified access whereby we get instant access to registrar data if you're an accredited entity.

I'm sorry, someone spoke up. Please go right ahead. There will be some spin that the BC and the IPC are blowing things up if they were to vote no inside of the PDP, and I don't believe there's any basis to conclude that. If we drew a line in the sand like we did Saturday night with a set of six reasonable amendments, and we get only a fraction of those six amendments, I believe that Margie and Mark would be justified in saying we are a no.

We can assess where the rest of the group is. We can assess whether we've been able to get our highest priorities among the six items. So my proposal is after nine and a half months of sheer agony in the PDP, that we let Margie and Mark make the decision on that consensus call within the PDP. That has nothing to do with council. I'll get to council in a moment.

Are there any objections to allowing Margie and Mark to indicate their consensus level in the PDP? Again, they're working off of the draft report that all of you approved in December, and they're working off the six amendments that we requested on Saturday night, and that is linked to in the very top line of our document.

I see no objections, but Marie is typing. Same thing, Marie, the IPC is doing the same plan as the BC when it comes to PDP. We had a two-and-a-half-hour call last night, which is a joint call between the BC and the IPC discussing how we would try to achieve some of our amendments in today's call.

The IPC has a slightly different view of what to do at the council level, and we'll turn to that next. I see David Fares and then Claudia. But let's please focus on the PDP, and then we'll turn to the council discussion. David Fares, please.

DAVID FARES:

Thanks, Steve. Just one thing I think is really critical that we get the additions to the purpose, because if we don't get the broader scope on purpose, we might lose the ability to be able to use any uniform access model that's agreed to in phase two for the purposes that are important to the BC members, whether it's consumer protection, IP protection, etc. So there's a clear link between the purpose and the phase two work.

STEVE DELBIANCO:

David, I agree that if those purposes need to be specific, then we need to win on what we asked for Saturday night. There's an open question as to whether those purposes should be specific or purposely vague. The GAC for instance and Fiona are indicating that we're better off without a specified purpose and to delineate special purposes.

So at this point, David, we are encountering fierce resistance to adding those, and I don't think there's any chance we'll get that out of the PDP today and tomorrow. So let's not take the position that the broad purpose that's nonspecific – let's not take the position that that limits what we can do in the UAM, since that could undercut our ability to get what we need. It's an open question, and I agree with you that we

should have pushed for it, but we have no leverage, David. We can't get it.

If not getting it means that the IPC and the BC vote no for consensus in the PDP, then that's fine. I'm agreeing with you there. But voting no is not the same as actually winning. It's just voting no. David, is that it? I'm not answering your question, I'm agreeing with your interest but indicting we're not going to get that.

DAVID FARES:

Well, I think that that goes to the e-mail exchange that we were having yesterday that we are engaging in good faith here in phase one, and I'm really worried about what happens in phase two. But we can leave that for another conversation.

STEVE DELBIANCO:

Yeah, and that is the conversation we had for two hours, is that, how can we set ourselves up for phase two so that the contracted parties will commit to the UAM that they initially committed to prior to Barcelona, that ICANN Org and ICANN board will continue driving towards a unified access model.

So getting that commitment in writing and guaranteed is impossible. [We won't get that.] But we're trying to do everything we can on today's call in PDP, and what we vote in council to drive towards a commitment from the contract parties, because we know that when we get to the UAM in phase two, the right-hand side of the page, the [inaudible] and the NCSG are fiercely opposed to allowing instant,

automated access for accredited entities. They've indicated they'd do everything they could to stop it, and therein lies the brilliance of the council motion that Marie and Scott have to consider.

The council motion will be to approve the final phase one report and go to implementation to replace the temp spec, and at the same time, begin phase two to define a unified access model. It's a bundled motion, it's not a separable motion. Therefore, the NCSG, if they want to stop phase two, would have to vote no on the initial report. That's going to create some credible dynamics for Scott and Marie in council, because they could find themselves being the ones who get to determine that we go to phase two with the vote that they cast.

Claudia, you're next, and Susan and then Denise.

CLAUDIA SELLI:

Thank you, Steve. This is my personal opinion of course, but my main concern in a possible no vote is that precisely, we would destroy some of the alliances that we might need for phase two, for unified access model, and it also might be seen as being disruptive into the process and the multi-stakeholder approach. I totally understand that the report doesn't address all the points that we want, but we might maybe care also about unified access model. I think Margie and Ben are doing a fantastic job, so nothing of course against empowering them, but I really think that a no vote could be detrimental to the process.

And also, on the other hand, I don't know how this will be read by the institutions. They're trying to find a solution also for the unified access model, or in any case, to try and give ICANN more liability in this

respect. So I'm not sure whether in terms of dynamics this would change as well what is currently on the table. So that's my personal opinion.

STEVE DELBIANCO: Claudia, you have to clarify for all of us: were you talking about the EPDP consensus call, or were you talking about the council vote? Because they're two completely separate decisions we need to discuss.

CLAUDIA SELLI: Even in the EPDP, yeah, I think also for the EPDP [inaudible].

STEVE DELBIANCO: Are you talking about the –

CLAUDIA SELLI: Yeah.

STEVE DELBIANCO: Okay. Alright, so Claudia – I recall that Claudia's belief is that we should be yes on both for reasons of alliances and appearances. Susan Kawaguchi.

SUSAN KAWAGUCHI: Thanks, Steve. I just want to thank all of you for all the hard work and the minority statement draft. I think it's really critical that others understand exactly where our sticking points are. In a larger report,

even if we'd advocated in a certain direction, all of that gets lost. So I think this minority statement is critical to keep us on track and others understanding exactly where the sticking points are for the BC. And also, it's convenient that it's for the IPC too.

I do not think that it's an issue to vote against recommendation within the EPDP, because that keeps us consistent in our message. One thing I've learned from the NCSG is they stay on message and they never let it go. I've had to live with five years of [Stephanie standing up at] every mention of the EWG and disputing it. She stays on message, she completely gets traction that way, and I think – I'm not advocating that we change our business practices or the way we manage our advocacy as the business constituency, but I think what we all need to understand is the NCSG and some of the registrars are just doing whatever they want to do when they feel like they want to do. And so yes, we have alliances to build and maintain, but I don't think by getting in and not being [there] extremely clear about our stance, I don't think that's an issue within the EPDP.

So, I thank you for the document. I think it was really a good document, and I think it's something that we need to move forward with, asserting it and voting in that same way.

STEVE DELBIANCO:

Thank you, Susan. Keep in mind though that even if we got everything in the Saturday night document, it wouldn't help at all because it doesn't give us access under phase two. Not that that document has anything to do with phase two other than the potential for purposes, and by the

way, getting a 15-day access doesn't allow you to solve any of your problems. And of course, on today's call, we're fighting to get that to 30 days and 95% of the time.

So we can stand on principle, we can make sure everybody knows why we voted no on the consensus call, and yet we're not pleading things to a judge here. We are trying to steer final phase one report and set the table for phase two, and Council is where the voting happens. And in council, I bet you'll agree that the NCSG, all six of their reps are free to vote however they want and they will often break ranks from the carefully crafted rhetoric of Stephanie Perrin and vote their own way. And that is a great unknown, Susan, with your years on council, is how the six people in NCSG are going to vote in the next ten days.

SUSAN KAWAGUCHI:

Well, I think the council discussion is different, but I disagree with you completely, Steve. I do think that this is setting the stage for the UAM, and I think it's the only way we can move forward and get anything within reasonable [inaudible] in the second portion of it.

STEVE DELBIANCO:

Alright. You'll have to let me know which parts of the Saturday night statement have anything to do with the UAM. I'll let you [do that and] put it in the chat.

SUSAN KAWAGUCHI:

Well, I think you and I just disagree basically on this, but we can have that discussion.

STEVE DELBIANCO: [What is your recommendation?] I'd like to record, is yours to vote no on consensus and a no in council? Is that your recommendation, Susan?

SUSAN KAWAGUCHI: No. You said that we were only discussing the EPDP. I thought we were going to have a discussion on the council vote.

STEVE DELBIANCO: Go ahead and cover bot, because we're going to run out of time. Go ahead.

SUSAN KAWAGUCHI: Okay. So what I would do – and this is from my personal capacity as CAN Consulting and all of my long years of advocacy for the WHOIS, and seeing what I'm seeing on the RDS review team and digging into everything I've dug into, I would say let's go for the minority statement, vote against where our representatives feel they should vote no against those recommendations, go to the council, I would probably vote for the report to move forward.

STEVE DELBIANCO: Great. We're actually agreeing then, you and I. Good. That's exactly what I recommend. Okay. Thank you, Susan. Denise?

DENISE MICHEL: Hi. I'm in [transit so] there's a little background noise. Apologies in advance. Can you guys hear me?

STEVE DELBIANCO: Yes, fine, Denise.

DENISE MICHEL: So up until about a week ago when Margie and Mark and their IPC colleagues and you, Steve, raised the potential for voting no on this initial consensus call that contains hardly anything that the BC had been advocating over the last two years, only then after many months in this [EPDP] for the first time the contracted parties came to Margie and Mark and said, "What do you want?" And actually started a conversation about use and access for the first time.

I agree with David and Susan and others that Margie and Mark, you, Steve and the IPC people who have been in the trenches for many weeks have very clear, strong, unanimous consensus statements out of the BC. Our positions are really clear. But this is a very fluid situation, and there's a lot of discussions going on. I support if there is a substantial change and meaningful commitment on [use] and access, I support voting no on the first phase of the report.

I also would suggest that the EPDP working group within the BC get together in a few days with the excom and of course our EPDP representatives, take stock of where things are, and discuss the appropriate steps at the council level closer to the council vote. This is

such a fluid situation. I think that would be the appropriate next step instead of trying to issue BC directions on both items.

And to be clear, a BC no vote allows for a consensus to go forward, just not a unanimous consensus. I think it's important for the BC – and hopefully the IPC as well – to be really clear about what our positions and what our company needs are. Giving up so early on what we have announced to the world is critical access for security and consumer protection, giving up so early, we will be announcing to the world that that is no longer the case, and that could have very serious repercussions outside of ICANN as well. Thanks.

STEVE DELBIANCO:

And Denise, we will Caucus with Mark and Margie after Kurt Pritz and the EPDP team determine when they're going to do a consensus call, but I'll record that thus far, at this point, you would say – same as what I suggested, we could be no inside the EPDP and it won't block its passage, but I don't know where you stand on council vote. If you just don't know yet, that's fine, but if you have a position now, what would you say we do at the council vote if the report goes over pretty much the way it is today?

DENISE MICHEL:

Well, I think there's ongoing discussions. Even as we speak, the EPDP is meeting. So I don't think we have a steady state today. I oppose taking a position today for the council vote on March 3rd. I strongly recommend that we reconvene our EPDP working group, the excom and EPDP

representatives later this week, see where we really are on this final report and then –

STEVE DELBIANCO: I already said we would –

DENISE MICHEL: [I'm not prepared – yeah.]

STEVE DELBIANCO: Right, I already said we do that, but we do want to say what the members have to say. We want to hear what all the members have to say.

DENISE MICHEL: I'm comfortable voting no if there aren't significant changes that have meaningful impact on the BC position, but I think it's premature to offer advice or direction to the EPDP members at this time.

STEVE DELBIANCO: That's fair. In the chat, I've put in what will happen at council. The council motion is a bundled motion to approve the phase one report, which would then replace the temp spec, and to start phase two, unified access. It has to be adopted with a council supermajority, and that in this case will be all of the contracted parties house and the majority of the noncontract parts house. At this point, we don't know for sure, but of the votes in the noncontract party house, the ISPs have

said they are “yes.” The NCSG said they are “yes,” although they are hard to predict.

If those eight people voted yes, they have the majority no matter what the IPC and BC does. In other words, we would not be able to block a supermajority if NCSG kept together. It’s unclear whether they’ll do that, and that is why Scott and Marie will have to be understanding on the day of the council vote whether in the end we want to get to phase two or not, and their vote could go either way and could make the difference.

We had this discussion with the ISPs – IPC last night, and I believe they are also considering the kind of a flexible approach, but that’s unknown right now. Thank you, Denise. Ellen?

ELLEN BLACKLER:

Thank you. Hi, everyone. I think I'll just say that we are definitely a no on consensus at the EPDP process, and I think I'm open to something changing between now and council, but I would be a no at the council level. I think that these are not minor matters, these are foundational to the security and stability of the Internet, they're foundational to the way a multi-stakeholder process ought to work, and because we're in the minority all the time in these committees, it doesn't mean that always outvoting us is the way to resolve what are significant issues.

And I'll just add I understand it makes it a little chaotic, but I think that there is broader support for the kinds of things we want to see in this document than is being reflected in these committees, and part of the way to get that broader support engaged, I think, is for us to be clear

that we think this is inadequate for the future of the Internet. So I am a pretty strong “no.”

Having said that, I'm open to something changing between now and this March 3rd vote [and] want to talk more about it, of course, between now and then.

STEVE DELBIANCO:

Great. As Marie indicates in the chat, they are currently scheduled this Thursday [inaudible] council. I think the smart money says it'll be deferred until the 4th of March, and between now and then, you're right, the PDP report could change, and we could actually obtain the kind of commitments for phase two that would be helpful. Again, if the EPDP report changed, even if it got halfway towards what we demanded Saturday night, that might actually turn the NCSG into opponents, both in the PDP working group and the council.

So you see what I'm suggesting, Ellen, is those six votes are fluid as well, those six votes. Ellen, you were up. Denise has got her hand up as well. Anything else from you, Ellen?

ELLEN BLACKLER:

No, I've just been trying to lower my hand. There we go.

STEVE DELBIANCO:

Okay. Denise?

DENISE MICHEL:

Thanks, Steve. Just to try to answer Claudia's question. Of course, the whole WHOIS environment is very fluid at this point, but to be clear, currently, the phase one report is worse for us than the temporary spec. If the EPDP is not successful and the temporary spec expires, then my understanding is that the conflict with national [laws] provisions and the RAA would come into effect and waivers would be applied for and granted. But again, this is a bit of a gray area, and what ICANN Org decides they can and will do is a bit up in the air.

But to make sure everyone understands the current state of play, there is upwards of 85% or more very legitimate, very well-documented WHOIS requests that are being completely denied by contracted parties. Some contracted parties are not even displaying any WHOIS, let alone the very minimal amount of WHOIS that the temp spec requires them to. ICANN Compliance has no plans, no guidelines, no public indications that they are even ensuring that the temporary spec is currently being complied with.

So to suggest that we would be – if someone suggests that we're worse off, it's hard to imagine how we would be worse off. I'm really hopeful, and of course, our position is that we would like to see PDP to succeed, we'd like the legitimate interests in security and IP protection and consumer protection to be taken care of in an appropriate manner. But to suggest that we have to accept something that's worse than the temporary spec or there will somehow be a worse situation than it currently is, the facts simply don't bear that out. Thanks.

STEVE DELBIANCO:

Thank you, Denise. Alright, we'll wind up this discussion. I did want to remind everyone that winning means getting the unified access model. There's almost nothing about winning in the current phase one report, even if it adopted all of our amendments, it still doesn't get the access we need to stop a currently in progress attack. So winning means finding a way to get the votes we need to succeed in getting a UAM, the right-hand side, through council sometime later this year in the face of fierce opposition from the NCSG.

So, Chantelle, would you please load the policy calendar? I'd appreciate [if this discussion would inform] what we do with the rest of this week and next week [inaudible] our councilors guidance on how to proceed.

It sounds as if only Claudia objected to the idea of nonconsensus at the PDP level, but all of you are free to weigh in and we'll probably put out an e-mail with all members to see if there are further opinions that want to be express in writing.

Okay, let's proceed then down this list on the policy calendar. I'm just about to turn to Marie and Scott on channel two, which is what you've got in front of you at council. I have it on the screen. So, Scott and Marie, why don't you take over?

MARIE PATTULLO:

Okay. Hi. It won't surprise you to learn that the biggest issue on council right now is the EPDP. Now, I think you all know that we had an extraordinary meeting last week where we talked about two issues only, one being the EPDP, the other one being INGOs which I will deal with very quickly.

There is a [inaudible] to try to ensure that at least the most contentious recommendation, the one that would basically [scuff up] the ability for INGOs to use the UDRP to be sent to a new group, a possible re-chartering. But that's still up in the air, it's still [inaudible] for discussion.

Most of it was about EPDP. We have the actual council meeting this week on Thursday, and then a placeholder for a potential meeting on Monday the 4th of March. Now, if you look at the agenda for this Thursday, not only does it talk about us adopting the – as it calls it – final report, but of course, in our sense, that's a final report on phase one, it also goes on to a discussion about phase two in which it notes – I'll copy this wording into the chat for you, but it notes per the EPDP team charter, beginning that work – i.e. beginning the work to discuss a system for standardized access to nonpublic registration data, i.e.[inaudible] – beginning that work is dependent upon the nonobjection of council as part of the [result of course of the] motion to adopt the actual phase one.

So what the leadership have put on the agenda is that the council has a discussion around the [words that] the council requests the EPDP team as a first step to develop its work plan for phase two, and furthermore, identifies whether council should consider any update to the EPDP team charter to facilitate that work.

Now, the rest of the council on Thursday is theoretically devoted to what's happening with SubPro. I would stick my neck out and say I'm thinking that's going to be a very short discussion, because I'm assuming all of the discussion is going to be about the EPDP.

From the perspective of Scott and I, we simply need you guys to tell us in this instance what you want us to do, because this is too big for us to fly on our own. We do need the BC membership to tell us what they would like us to be doing on Thursday. Back to you, Steve. Of course, [inaudible].

STEVE DELBIANCO:

Scott? Marie, let me just suggest that if they modify the charter or the motion in front of you, please be cautious to avoid letting them split the motion. Splitting the motion would allow them to get a supermajority on the final phase one report, and then a new motion that we would potentially lose [to launch] phase two.

So that is why I think it serves our interests to force those to stay bundled in a single motion just the way it was written in the charter.

MARIE PATTULLO:

For clarity, the way that the agenda is written, [true to] everybody, I'll also copy and paste the appropriate part right now in the chat, it doesn't refer to that because the agenda presupposes that under the first item, we have already adopted what you call the package. That is, the phase one report and the instruction to go forward to start phase two.

this discussion about whether or not the charter needs to be amended goes to whether the work team needs to be modified and able to be able to deal with the phase two discussions. I'm sorry that I wasn't clear about that.

STEVE DELBIANCO: No, that's helpful. It is my sense – and this could change – that the BC's priority is to get to phase two UAM. Without it, we cannot protect our consumers and businesses. If that's the priority, I think that should inform your voting. And that may change in the next several days depending on what the final report looks like, but that is a clear [inaudible] what the BC's priority is, is to get to the UEM.

If you can, you want to use any leverage we can build to get commitments from the contracted parties and the ISPs, because we will need them to score supermajority on a UAM later this year.

I do not yet know what order you will vote. Scott and Marie, see if you can figure out the order in which you'll do a roll call vote in council on the motion. Since if you're scattered, it'll be very difficult to know whether our vote would put it over the top to get to phase two, or we could register a protest vote and it passes anyway. That's an important consideration.

SCOTT MCCORMICK: Okay, Steve. I believe it's a random vote, and that was already confirmed.

STEVE DELBIANCO: Wow, so you won't even know until they do the call what order the names are in?

SCOTT MCCORMICK:

Correct.

STEVE DELBIANCO:

That is going to be incredibly challenging to know where we are in the vote. All six of the NCSG votes will be key.

Okay, Maria and Scott, do you have anything further to add on council? Okay, if not, I want to turn it over to Barbara Wanner for CSG. Go ahead, Barbara.

BARBARA WANNER:

Hello. I really don't have anything to add. I think what Steve has here on the policy calendar is self-explanatory. And you all have the necessary attachments. So I think everyone's attention rightfully is on EPDP right now, so I imagine in terms of who poses what question at Kobe, that can be resolved in the CSG closed meeting or the BC closed meeting. But drop me a line if you have any suggestions or questions. Thank you.

STEVE DELBIANCO:

[inaudible] to Claudia on the agenda.

CLAUDIA SELLI:

Thank you very much, Steve. So for the BC meeting in Kobe, the open data program is spending. We sent out a request to have them as our BC open meeting. Otherwise, there are other suggestions from members. Since this meeting is in any case still pending, we would welcome that so that we can send out another invitation in case. And I

don't have anything else, so I would leave the floor to Jimson unless there's anything. I see Marilyn with her hand up.

MARILYN CADE:

Yes. Thanks, Claudia. I'm not sure if we had considered inviting representatives from the technical group that was appointed and whether that would be a good thing to do or bad thing to do, but I just want to raise it as something that might be of interest to understand the work they're doing. They come heavily, but not solely, from the contracted party house, but their task is very much about [ability] issues, and at least it might be good for us to hear from them on what their thinking is. Their work will be almost done, I think, by the time we get to Kobe.

CLAUDIA SELLI:

Thanks, Marilyn. It is noted. Okay, if there are no other intervention on that, I would leave the floor to Jimson.

JIMSON OLUFUYE:

Okay. Thank you very much, Claudia. Well, there isn't much on my table today. Outreach is still on schedule for Tokyo, Friday March 8, and also for Kobe, March 15.

The chair of the Outreach Committee is on the line, so Marilyn, do you have some updates for us regard to prep for Tokyo and Kobe [inaudible]?

MARILYN CADE:

Thank you, Jimson. I'll just be very quick. The session – and we do expect more final program coming from through – it'll be sent to us by Chris Mondini and Jia-Rong from the two hosting organizations in Tokyo. Again, just for everyone's information, we're not co-organizers, we are providing guest speakers. The main topic that we're being asked to speak on with Claudia as the speaker for the [inaudible] event which is in the late morning, I think it's 10:30 to 11:30 as a part of one of their formal meetings.

This is C-suite level, so very senior. It's a small group, but it is C-level that can then direct their staff to attend Kobe. We then go to [JAITS] which is a Japanese, largely research and innovation community, and we have a presentation there again that Claudia will lead, with the opportunity to hear brief comments from the other participants.

It is a very small, invitational meeting. We don't know the exact number from [JAITS,] who will be attending, but we have been asked to provide up to 90 copies of the fact sheet translated into Japanese, which has been done, so that we will have materials to distribute in Japanese with just a few copies in English when we're in Tokyo.

For planning for the participation in the ISP event on Wednesday, we have a 45-minute slot that will be introduced by Claudia, just introducing the slot, and then there'll be two speakers, Scott McCormick, and I'm still working with Microsoft about whether they can provide the speaker on SSR. The topic is SSR, the ISPs will provide a Japanese speaker on that topic.

And I just want to remind everybody that in Japan, this will be a synchronous interpretation, which means that following very short statements, someone will interpret the English statement into Japanese, and when a Japanese speaker speaks, there will be a synchronous interpretation into English. So that greatly delays or restricts the amount of time that we have.

If we're using PowerPoints, we do need to get those done early so that whoever is – from the local team who's providing the synchronous interpretation has a chance to look at them ahead of time. Chris Mondini is getting us a date on [inaudible] we need those. Less is more in this case, but we will have our brochures in Japanese and English and our fact sheet in Japanese and English for the Kobe event.

Again, just a reminder that we will have only part of the board for the following reception, because several of the board members will be at a leadership event that I believe Claudia will be at as well. We will be asking for RSVPs from BC members who can make a commitment to attend the Kobe event. It is not at the venue, it is about 10 to 15 minutes away by taxi or other form of local transportation.

If you want to attend the entire event – and some of you might want to – there will be a bus to the entire event, but it will not return to the hotel or the venue. It would only be one way.

JIMSON OLUFUYE:

Okay. Thank you very much, Marilyn, for that good summary. Also [inaudible] for the Tokyo event, it is planned to provide some gifts, you know, associated with the host's location, so [inaudible] Tokyo outreach

due to the leadership program we are attending from 6th to 8th in Tokyo.

So with outreach – let me also use the opportunity to thank Marilyn for the input and Chantelle for the introduction [inaudible] also Steve and Claudia for [inaudible] contributions and make the newsletter production very successful.

So on this note, I want to return it back to Claudia. Claudia, back to you. Thank you.

CLAUDIA SELLI:

Thank you, Jimson. I don't have other business to add, but I'm looking at the list to see if anyone has anything else to raise at the call.

I see people typing in the chat but no one raising their hands, so with that, I think we can close the call and reconvene on 6th of March.

CHANTELLE DOERKSEN:

Thank you, Claudia. Operator, you may now stop the recording. Please remember to disconnect all remaining lines and enjoy the rest of your day.

JIMSON OLUFUYE:

Thank you.

[END OF TRANSCRIPTION]