
CHANTELLE DOERKSEN: Good morning, good afternoon, and good evening. Welcome to the BC Members Call on Wednesday, February 12, 2020. In the interest of time, attendance will be taken via the Zoom room. I would like to remind everyone to please keep your phones and microphones on mute when not speaking to avoid background noise, and also to please state your name before speaking for the transcript. With this, I'd like to turn it over to the BC chair to begin. Claudia, please go ahead.

CLAUDIA SELLI: Thank you very much, everybody, for participating to the BC call. I leave the floor to Steve to start the update of the policy calendar. Steve, the floor is yours.

STEVE DELBIANCO: Great. Thank you, Claudia. Chantelle, is the policy calendar displayed now? I put it up.

CHANTELLE DOERKSEN: Yes, it is.

STEVE DELBIANCO: Thank you. Hey, everyone. Policy calendar is up. I have two things to report since our last call. We filed comments on the draft report on the Accountability and Transparency Review Team (ATRT3). We had a lot of help on that. Denise Michel came up with a final set of adjustments that people agreed to. Then, on the 29th of January, we had commented on

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the future root zone key signing key rollover. Jimson handled all that drafting. Much appreciation to that.

So, let me scroll down to the open public comments. We've got five of them we want to discuss today. The first is a proposed final report from that cross-community working group on what to do with the auction proceeds: a couple of hundred million dollars that came in from the new gTLD program. So, that particular set of recommendations are out for public comment and that closes this Friday. We've circulated on the 9th of February a draft BC comment. It's attachment one of the policy calendar.

And in there, David Snead and Jimson answered question seven with regard to mechanisms. I had offered one small edit. Then there is some header text in there as well. And I do need Jimson and David to tell me how to map that header text to the questions that are in the forms, since that's the only way I think to get answer in front of ICANN staff when they review it.

So, just before Friday, Jimson and David, just help me to map the top half of the comment to some of the other questions. And we did get a chance to see what the IPC is filing. It's a little more extensive than ours, but Jimson and David seem satisfied with what we have. Jimson and David, do you want to say anything more about that comment? And any members of the BC that want to ask questions?

JIMSON OLUFUYE:

So, Steve, as I mentioned, I will put up something that can match the questions to make it easy for you when you post on Friday.

STEVE DELBIANCO:

Thanks, Jimson, because as you know, after I paste in, I captured a PDF of the pasted form and then that's what we post to the BC website so that BC members can see what we did answer. Are there any other hands up in the BC for comments or questions for Jimson and David?

Okay. Don't see any but thank you very much.

The next item up is the proposed amendment three for the DotCom registry agreement. That's the Verisign-ICANN agreement. And this is not a renewal but an amendment. It's amendment three. Those comments also close Friday and we've had great discussion on list, going back and forth with drafts.

So, I circulated just the other day. I think I will, if you don't mind, bring up in the screen right now ... Okay, great. If you're looking at the Zoom room, it was the level set email that I sent this morning.

The way BC rules work is that if BC members—10%, which I guess would be six members—would say that they prefer an alternative draft, well then, we can register that interest and that alternative draft would need to be circulated very quickly because the minimum is a two-day vote, which I would say would be Thursday and almost day Friday and we get commenting by Friday night.

And it would be an email-based voting with Chantelle sending out emails to each BC member who has paid up, and each BC member company would have one vote to cast. It would be I guess a secret ballot that would be kept by Chantelle, and then she would report the results

on Friday afternoon and that would dictate whether we use the draft that we came up with Steve, Andy Abrams, Alex Deacon, Mason, and Barbara—call it Steve’s draft—and an alternative draft.

So, we’re happy to do that. And I have interest from five BC members—Zak, Jay Sudowski, Jay Chapman, Matt Cohen, and Lawrence with MicroBoss. That’s five. So, all it would take is one more BC member to say that there were six BC members and that would say that we would move on to a draft. So, while you’re thinking about whether there are six, I think you would need to understand that our charter requires that that minority group has to propose a draft. It has to be circulated to BC members so they can vote on it.

And what I indicated in my email this morning is I at least am confused about what would be in that draft because there are comments made by various entities. Ben Wallis’ comments from Microsoft are very minor edits that I and the drafters I’m sure would accept.

So that’s not an alternative draft. Jay Sudowski, Zak, [Nat], Jay Chapman, and a few others have varying degrees of concern about eliminating this presumptive renewal that would occur in 2024, perhaps not just for com but for the gTLDs that are awarded in the last round. There’s also a question about whether the BC would appose the board accepting the price increasing, the caps of 7% which are being brought over to be consistent with the cooperative agreement. And then Jay Sudowski had proposed three particular ways that if the price increases go through there would need to be more money coming from Verisign over to ICANN which is really different than saying “don’t do the pricing increases” that says if you’re going to do the price increases Verisign

should pay more to ICANN. So, I will confess that I do not know what would be in this alternative draft but if the minority of six want something then they are entitled, absolutely entitled., to circulate that. I would just ask it would be circulated by 5:00 Eastern Time today, giving BC members the full two days between then and 5:00 Eastern Time on Friday. So, with that I am happy to take a cue and as you're doing that, think about whether there's even a sixth person necessary to get to the threshold of 10% wanting an alternative draft. So, I'll take a cue. I see Zak with a hand up. Go ahead Zak.

ZAK MUSCOVITCH:

Thanks Steve. So, first of all, I truly appreciate your efforts in trying to bridge gaps on this policy comment and you have been largely successful in that but we see there's this impediment, this obstacle, but I do think that we may have six already for what it's worth. I much prefer that we all reach some kind of compromise or consensus within the BC about what the comments should be but by my count there's possibly—we can find out for sure on the list—there's Jay Sudowski, there's Zak Muscovitch, Matt Cohen, there's Lawrence, there's Ben. So, I count six.

STEVE DELBIANCO:

Jay Chapman. But Ben Wallis asked for two edits that were accepted. So, Ben Wallis of Microsoft is not considered to be asking for a minority report.

ZAK MUSCOVITCH:

And you may be right Steve but you based upon his email, he might possibly be interested. So, we should find that out, but in any event, my question is to the BC. I've made my views known about why I don't think there is a justification for a price increase. I'd like to hear, if anyone cares to step forward to say why they think a price increase is justified aside from the argument that we've gone over that ICANN is forced to do this. Which I disagree with but there is a difference of opinion there but is there any principled reason that we think that a price increase is justified in what I consider a captive market? And so, I'd like to hear the other alternative viewpoints on this aside from the technical one, that ICANN's hands are bound, which I disagree with. Thank you.

STEVE DELBIANCO:

Thank you Zak. No other hands are up. So, Ben Wallis, I know you're on the phone. Are you in a position where you want an alternative draft or are you satisfied that we incorporated the two edits you made on the pricing [inaudible]?

BEN WALLIS:

Thank you Steve. So, I was shooting for trying to find some kind of compromise and have a sense that we were in a minority so I wasn't pushing for a minority report. I was just trying to tip the scales a little bit. I think some of the language I think that Zak recirculated this morning about believing that competition is the best price regulator we certainly agree with and there might well be that we would sign onto a

minority position. I just think as the previous speaker said ideally, we find a way to have a single consensus view.

STEVE DELBIANCO:

Ben, I don't see that happening. So, it would be better to get clarity about whether the edits you made are sufficient or whether Microsoft wants to go further to suggest, say, as you said in your comment, getting rid of presumptive renewal. But I would encourage you to check with Microsoft management, since Microsoft runs DotOffice, DotBing, DotAzure, and DotWindows and if Microsoft had to lose those TLDs in eight years when they go up for bid, I'm not sure that presumptive renewal would be a position that Microsoft would oppose. I would just ask you to check that please.

BEN WALLIS:

Yeah. I know also— sorry I'm struggling to catch up on who said what this morning—one of [inaudible] said they weren't even getting into presumptive renewal; it was just about the price increases and maybe that's where any potential minority view would focus. But it would be good to know whether or not I wasn't the sixth vote and that there were others too or whether Microsoft has to be the tie.

STEVE DELBIANCO:

Yeah, lets see that. If we don't have a sixth vote yet, so is there're any BC member who wants to put up a hand to make number six?

I don't see a hand but Zak, your hand is still up. Do you want to comment again?

ZAK MUSCOVITCH:

Yes. Thanks Steve. So, just two points. One, that's correct Ben, is that, as I said in the email this morning to the BC, presumptive renewal is not up for debate in this comment, that is just a feature of the landscape at this point. All we're discussing and arguing about is whether there should be a price increase. Related to that, no one is proposing, even indirectly, removal of presumptive renewal when it comes to new gTLDs. We're only talking about in the case of legacy TLDs and even then, I'm not and I don't believe anyone else is proposing elimination of that at this point.

My second point is also more of a question: there's five possibly six people who are against the price increases but why is it they are necessarily the minority? I haven't anybody, other than you Steve when you provided your well education and concise comments about this, that is in the favor of the price increase. So, I'm not even sure that it's the minority. It may be the majority. So that's why I am looking to hear from people, why they think it's a good idea and who thinks it's a good idea. Thanks.

STEVE DELBIANCO:

Zak, thank you for that. Two reactions from Steve. The first is that Jay Sudowski's earlier draft called for the allowing of price increases but getting more money from Verisign and that is very different than opposing the price increases, which is why I wrote to Jay this morning to say that if we ended up with six people who want an alternative draft Jays got to work that out with you about whether we're opposing, in your alternative draft, or telling the board to just deny the price

increase, that the cooperative agreement allowed or are you saying do the price increase but just get more money from Verisign. And those are very different positions and the BC members deserve to know what it is that the alternative would say.

And then I'll turn to your other question. The BC members don't favor a price increase. The BC is sticking to a position that's adopted for several years which is that ICANN should be a price regulator. And amendment three says that ICANN is adopting the pricing limits of 7% a year that the cooperative agreement established by the functional government regulator over Verisign and in fact what I've shown you over and over again is that the cooperative agreement doesn't require anything. It allows that. It's ICANNs contract with Verisign an amendment two that required ICANN to negotiate with Verisign to achieve consistency with the cooperative agreement and we will not do justice to our peers in the BC to debate the legalese of that but the BC doesn't have to "support" the increase. The BC examines ICANNs claim that it needs to do this to honor its contract and that it is not being a price regulator. It is simply adopting the regulations that come from a price regulator. For that reason, the BC position that we drafted inherits what we did for Info, Org, Biz, and Asia and we note in our comment that there is extra funding for securities stability resiliency and there are significant parts of the DNS abuse framework that are being adopted by Verisign for the first time. And those are generally positives and the majority of drafters are very comfortable supporting that.

So, I see Lawrence's hand is up and Zak your hand is up. I guess you would go next if no one else comes in. But we still don't have a sixth person yet. Go ahead Lawrence.

LAWRENCE OLAWALE-ROBERTS: Thank you, Steve. To the issue that is under discussion. I too would really love to see the BC taking a position where we not walking in favor of a price increase. That's my major concern with this comment that we have. I do not mind joining to put in a minority report, but from experience here in my region, which I believe is the same for most developing countries, due to the fact that the domains get to us through a long tunnel, the cost that it actually lands, especially in a place like Nigeria, is far above what the registry puts it out in the public. Averagely today to get a DotCom registered in Nigeria is an average \$10.00 to \$12.00 a domain. And you can imagine what a 7% price hike will amount to eventually. For some businesses that desire to maintain their DotCom domains, it would mean a huge cost for those of us in a developing region. And if we already are under so much pressure, this is only going to make it a whole lot difficult. I don't believe that Verisign is under any pressure to want to have more revenue, and most especially since it's going to be causing a lot of hardship to those of us in this region. So, by that reason, I definitely not supporting, and I believe that businesses across my region also share similar views. I will be very happy to see the BC, you know the full BC, drop the clause that has to do with supporting the price increase.

STEVE DELBIANCO: Okay, Lawrence, thank you. Are you taking this position as an owner of a handful of domains to run your business or do you have a portfolio of speculative domains?

LAWRENCE OLAWALE-ROBERTS: No, No, No. I don't have a portfolio of speculative domains but I definitely register domains that have to do with my brand and trademarks.

STEVE DELBIANCO: Got it. Because, as somebody noted in the chat, this battle was sort of over when the US government regulator said it would be in the public interest to allow 7% increases in four of the six years. And during that battle Jays group and the ICA made quite a run at the Justice Department here in the United States to convince them that it was not in the public interest to do so. So, as I think Chris Wilson indicated in the chat, that battle was lost and in that particular instance ICA, Zak's group, Jay Chapman's group and Matt Cohen's group talked about the fact that collectively ICA members control over 10 million domain names. So, naturally they would be very concerned about even tiny price increases for portfolios of names that big. So, I completely understand that and try to be respectful but it is, in my judgement, a minority position. So, at this point we don't have a sixth person yet that wants to have a minority comment. Let me call on people who haven't spoken yet. So, I have Susan and then Jimson.

SUSAN KAWAGUCHI: Hi. Thanks very much. I have not weighed in on this and I will go with the majority here but just to give a balance, there is definitely a correlation between infringement and abuse and how cheap the domain name is. So, we all saw what happened with DotXYZ when they were selling those for a dollar. It skyrocketed in abuse. So, we should just make sure we weigh both things. My concern with DotCom, my first

reaction to this is good. Let's up the rate, the price of a DotCom because that's going to lower some of the trademark infringement and actual malware phishing abuse. They'll go to a different registry and there's very little to leverage with the DotCom registry when you are combatting abuse where if they are driven to some other registries, they do a better job actually. They have acceptable use policies and take more action, not some of them, not DotXYZ for example, but let's just make sure that when we're considering all this that we consider both sides. I can understand the Jay's and Zak's and Lawrence's viewpoint that they can get very expensive in different regions and the DotComs could, but I also think that we need to make sure that we're keeping that in the back of our mind that the lower the price, the more abuse there is.

STEVE DELBIANCO:

Thanks Susan. Appreciate that. Jimson, go ahead.

JIMSON OLUFUYE:

Well, actually, paid close attention to the discussion and I quite understand the feeling of [Mike's] region and of course the others expressed similar inference that prices do not go up. First and foremost, I think for our honor it's very important we respect our legal contracts, our agreements, or our position. With this now there is a compliance with the contractual agreement but really in the interest of the group of public I think there should be some restraint concerning pricing. Fundamentally a contract has been established that has to be honored. From the point of view that, yes you have gone through the contract,

we went through it and now to implement, because we have always pushed ICANN to comply with contracts. And we have driven a lot of mitigation, best practices of ICANN. So, on that point I will go with the majority but of course in the interest of the broader public that prices should not just go up just anyway or anyhow.

STEVE DELBIANCO:

Jimson, just to clarify, the US Commerce Department regulator did not allow prices to go up irregularly. It's 7% in four of the last six years and they calculated that as an average of four and a half percent a year. So, it is a limited price, it is not an unlimited price, as in all of the other domains. So, we don't have a sixth person. I don't have anyone in the queue but look BC members, if a sixth person, comprising 10% minority, wants to join with Jay Chapman, Jay Sudowski, Matt Cohen, and Lawrence at MicroBoss, then you would have six but that would only be sufficient to have you introduce a fully formed draft to the BC today, before 5:00 today. And that fully formed draft isn't up for debate, it's simply up for a vote. So, when we put it out Chantelle would put out a vote because we've reached a threshold of 10%, and then you'd have two documents, the [Steven Drafter's] doc verses the Jay and Matt's document. And that document, people wouldn't comment on it, they would simply vote on it. So, that is why it has to be a fully formed document adequate for the BC members to vote on over the next two days and then a majority would rule. So, at this point, we do not have six. You're short one but if one were to emerge before 5:00 today, you would be able to circulate a draft by 5:00 today and I would work with Chantelle to conduct the balloting. Are there any other questions or

concerns? Trying to handle this as fairly as possible. Okay, great. Thank you. I'm going to go back to the policy calendar.

ZAK MUSCOVITC:

Sorry Steve, just briefly, my hand is up. Just for clarification. If there was a six and if there was a vote would the vote be about which version of the comment gets submitted or would the vote be merely to include an enshrined minority position within the existing comment?

STEVE DELBIANCO:

It would be which would we submit.

ZAK MUSCOVITC:

Okay, thank you.

STEVE DELBIANCO:

That's what our charter calls for: which would we submit. As you know Zak, the comment that the drafters put out says that some BC members have concerns and Ben Wallis's edit was to take out the phrase "BC members holding large portfolios of domain names" and we accepted that edit so there is two concerned noted for those who have concerns. They're noted concerns in the pricing section but it isn't a minority report. Okay? Thank you.

Let's get back to the policy calendar. Appreciate that. Number three up here is the fiscal years '21 through '25 operational financial plan and the draft op plan and budget for next year, those comments don't close

until February 25th, you have got two weeks and want to thank Jimson, Tola, and Mark Datysgeld for volunteering. I've seen you circulating comments on your drafting team, so we'll want to get that out to the BC members seven days before the comments close on the 25th of February. And thank you for volunteering.

There are two more. There is the second Security Stability and Resiliency Review Team, we call SSR-2, and that draft report was put out last week. Comments close on the 4th of March. We're lucky enough to have two BC members, Denise Michel and Scot McCormick, who are on that review team and can brief us on those recommendations. And I did want to note for all of you that SSR-1 recommendations have really not been implemented to the extent that staff is telling you. I'll note that in the past 3 days Scott weighed in to say that regarding that DotCom amendment, if Verisign hands 20 million dollars to ICANN, what Scott had suggested is that ICANN ought to solicit input from SSAC and ought to take a look at look at the SSR review team recommendations to guide how they spend that money and they ought to be public about what they spent it on when they seek reimbursement from Verisign. And I added that to the comments, Scott. I'll thank Susan, Roger, [Mason], Ben, and [Killio] for volunteering to draft the BC comment. You've got some time left to get that in. I look forward to that. Are there any additional volunteers or comments on SSR-2? Thank you.

And the final one is the initial report on the expedited PDP for the temporary spec. This is the phase 2 EPDP on adopting who is to the GDPR, that was just put out and Margie Milam and Mark Svancarek have worked so hard on this. Alex Deacon has supported them. I've supported them and there have been several other members of the BC

to get involved—Fred Felman for instance and Susan Kawaguchi. It is a tremendous amount of work and this is a report that will be hard to swallow. Hard for the BC to embrace especially with the uncertainties surrounding recommendation 19 that calls for Service Level Agreements to sort of evolve over time. And I shared with the GAC this morning, my biggest concern there is that if we want to create a Service Level Agreement like 95% of trademark queries being responded to in an hour, if GNSO has to approve that, the contract parties in NCSG could act together and block any improvements that would help the private sector to have access to nonpublic WHOIS. So, concerned about that but let me turn it over to Margie Milam to share your perspectives. Margie please?

MARGIE MILAM: Sure. Hi everyone. Can you hear me okay?

STEVE DELBIANCO: Perfect.

MARGIE MILAM: Great. I wanted to point you to the analysis that Alex Deacon shared on the BC list because I think it really gives you a nice overview of the issues. We did have an extensive negotiation until the publication of final report but I think the areas where I see the most concern are one, the one that Steve mentioned about the SLAs and the fact that there is actually no SLA related to disclosure rates, so even if you submit a request and you documented it the way the policy asked for there's

actually no evaluation of whether or not the disclosure rates were appropriate. So that's an area I think we need to push back on [in] the public comment.

The second one is the level of automation. If you take a look at what's really happening, it's called a hybrid model, which means essentially there's a centralized gateway that received the information, the request, and then it goes out to the contracted parties and the contracted parties decide whether or not they are going to release the information based on the request. So, they removed ICANN as being the decider of those issues and it's now the contracted parties. There's very little that's actually going to be automated initially. The report suggests that law enforcement requests from in jurisdiction—in other words, if it's a US law enforcement and an US registrar and a US registrant, that would be automated. And so that those types of requests aren't really going to be the kind that the BC is going to be concerned about. And the second one that they agree is going to be automated is if a UDRP provider or a URS provider asks the information that's automatically responded to, and that's it. There's no other automation currently agreed to among the parties. And so that's where Mark and I and our colleagues on the ITC have really been focusing on giving examples of other areas that could be automated. For example, if you're accredited as a trademark holder and you've a domain name string includes your trademark, that should be automated but that's not something that's currently on the table or if you're a cyber security practitioner and you have proof of a phishing event or a malware event associated with a domain name, that should be automatically disclosed. Those two examples are not ones that we currently have agreement on. And so, as

we look forward to the public comment period, we really want to take a look at these issues at a very high level and what are the things that are going to impact the BC. And I think the things we want to focus on are making sure that if it's a legitimate request, that there is some sort of SLA regarding actual disclosure rates and also expanding the number of areas that could be automated.

And the other thing I want to point the BC to, I don't know if you've seen, there's actually going to be a webinar that goes into much more detail on the report, I think, tomorrow. Yeah, it's tomorrow. So, I encourage you all to attend that so you can get more information on how the report addresses some of the issues that we're concerned about but these are the kind of things that I think we should tee up for the public comment period.

STEVE DELBIANCO:

Margie, that sounded like you were reading from a script and I hope you had it written down someplace. Very helpful. I want to thank Mason Cole for volunteering. Mason, I wanted to let you know that it's a form we have to fill out and, the last time we did this for the EPDP, the forms crashed when I was pasting in the BC answers. So, let's develop a draft BC comment in a separate word doc, and that, once its approved, we can submit it as an entire PDF as apposed to the system that crashes on us. So just be cautious about that. Don't use the online form other than to capture it, for purposes of drafting BC responses.

MASON COLE:

Alright, thanks Steve.

STEVE DELBIANCO: Thank you Mason. Margie, anything else? Any other questions for Margie? Alright, may we move onto Council, and turn to our councilors Marie and Scott. Turn it over to you. Thank you.

MARIE PATTULLO: Thanks Steve, can you hear me okay?

STEVE DELBIANCO: We do.

MARIE PATTULLO: Thank you. Scott is on a bus, so if I say anything wrong, I will ask him to shout. I'm also going to switch screens here, Steve, so if anyone puts their hand up can you let me know and/or just jump in please. Okay, our next council meeting is next Thursday the 20th. It's not a particularly contentious agenda. I'll start by saying a huge thank you as always to Chantelle because she has recirculated the dates for the preparation webinars for our upcoming meeting, in spring break, as Zak would put it. There's going to be a policy webinar next Wednesday and another one on Thursday. So, for those of you who know what to expect at Cancun I would ask you, if you can, to attend one or both of those. For next Thursday, so that's for the GNSO council. The only motion—the only vote, I think is going to be non-contentious— is to adopt the so-called PDP 3.0 report. You know this has been worked on for many months. It's a number of different ways to improve the operation of the PDP process. If anybody wants the final documents, I'm very happy to send it

to the list. There's also two, so called, project change requests. Now this is where a group has to come to the GNSO council and say "I'm really sorry we've missed our timeline; can we please make it longer?" The two involved the Rights Protection Mechanisms Working Group and the SubPro Working Group. Short version of the story: the RPMs have asked to be able to push back the expected date of the initial report to October. Councilor Leadership had a call with the leadership of the RPM working group, that's three co-chairs who really do not work very well together. I'm not speaking out of turn here. That is very well known and impressed upon them that okay, we will give them this timeline if you promise to get the job done. Watch this space.

The other one, that came out of SubPro, is because of the amount of public comments that are coming through, the complications. you all know that SubPro is about the potential new round or possible definite new round of new applications for TLDs. They've asked to be able to have until the end of the year—so until 31 December—to deliver their final report to the council.

Now there is another thing coming up on council, which is looking at all the different work items we have in front of us and how to prioritize them. We discussed this very briefly during our face-to-face council session in LA and I'm not going to bore you all by running through all of them right now because that's a list of 12 but I am going to send them out to you because we need to know from the members which ones do you think are the most important and which ones do you think we really need to push to be focused on. Now there are some on there that are pretty obvious, EPDP, ones I've just mentioned: RPM, SubPro. There are others that tend not to get mentioned as much but are very, very

important like IDMs, Internationalized Domain Names. And there is one that is very close to the BCs collective heart, which is DNS abuse, which is the only one I will speak to. During the face-to-face in Los Angeles, we've asked to give a top of head ranking as to which of these upcoming things we thought were the most important. Interestingly the contracted parties put the DNS abuse very far down the list. However, two of the councilors then clarified this to mean that it is not that they feel DNS abuse is not important, it's just there is no specific request to council to deal with it. So, saying we think its important, yes, but what do you want council to do? So, when I send this through to you, this list of items that we're going to be prioritizing and looking at in the council meeting, I would be grateful if you'd bear that in mind. If we go to council, we need to go with an actual, tangible request. Okay, that's me out. Steve, anything else you want me to add?

STEVE DELBIANCO:

I think that's it. Any questions for Scott and Marie on council? Great, thank you.

We'll now turn to Barbara Wanner and the Commercials Stakeholders' Group liaison. Go ahead Barbara.

BARBARA WANNER:

Thank you Steve. In fact, I'll turn it back over to you because there was a CSG Excom call this morning with GAC leaders that I was unable to participate in and you very kindly covered this for the BC.

STEVE DELBIANCO:

Barbara, most of the call, almost 45 minutes, was on the EPDP. We had 24 people on the call but a few from the CSG. I think I was the only one from the BC and we had the opportunity to alert the GAC to certain concerns and earlier, Barbara, I mentioned the concern that I brought up today which was the idea that changes to the obligations of contract parties, changes to the service level agreement and the automation and the automated responses, was all subject to an unknown and undefined mechanism. And if that mechanism requires the approval of GNSO Council they could block the contract parties along with the NCSG would be able to block anything we came up with. So, I go the GAC very alerted to the fact that they want to press hard on that and they thanked us for bringing that up. And other than that, I believe that GAC was a little too sanguine about the EPDP report. They were pretty happy with it. They found a lot in there to like. That's what I heard. And what Brian King and did was to try to alert them to concerns that really are in there. So that's about the most important part. There was a very little bit about GAC advice to the ICANN board and the status of that, and Manal pointed us to a sheet that staff maintains to track all that. So, it was a good call. Very focused on EPDP. Back over to you.

BARBARA WANNER:

Thanks Steve. Again, just to review the latest updates in our ICANN 67 scheduling, as I've said in prior meetings, the CSG will have a closed session before the meeting, just to conserve our time while we are on the ground in Cancun. So, keep your eyes open for a notice of that. It will probably a week before, I'm thinking, probably the end of February or the very, very early part of March. There is a CSG Contracted Party House meeting currently scheduled for Wednesday the 11th of March

from 6:00 to 6:30. Personally, I'm quite concerned about what will go down there. I know I'm not alone in saying that we don't want to have to listen to the NCSG rail at us for an hour and a half. So, I really need your help in terms of understanding what you want to address and what you feel there might be a basis for compromise and for bridge building between us and the NCSG. One topic I know we will have to get concurrence with is Board seat 14 but also Stephanie Perrin has indicated that she wants to promote this code of conduct proposal, and lord knows what will be included in that. So just giving you a heads up on that and really, really need your thoughtful consideration at how we can turn this into a constructive session.

The only other topic I want to alert members to is that there will be a call for all CSG members with Matthew Shears on the 21st of February at noon Eastern time to talk about his candidacy for Board seat 14. So, you are invited to participate in that. Again, to underscore: we not only have to realize concurrence and consensus within the CSG on our nominee for Board seat 14 but it has to be a person that again the CSG feels they could realize agreement with the NCSG to support. So that if you know of such an individual the sooner that that person's name can be submitted the better. I think if that person is a member of the CSG or NCSG they stand a better chance of realizing that consensus and bridge building capability. So that's about all, again we're still seeking a successor to Keith Drazek. I have not heard any names floated perhaps Marie can clue us in on that. And then finally we are still awaiting word from Philippe Fouquart as to whether he will consider stepping in to fill Rafik's seat. So that's it, Steve. I'll just hold it there. Oh, and also, thank

you for posting the draft schedule because that should help people understand how to prioritize. Thanks.

STEVE DELBIANCO:

You bet. I wanted to pass along information that I've been contacted by a member of the ICANN community that a lot of you know and he's definitely interested in standing for Board seat number 14. And I talked to him again this morning. He gave me permission to talk about, on this call, and to ask BC members, if there was interest in having a BC or CSG call. We have a call coming up with Matthew Shears on the 21st of February, and this individual would get on the phone at any time if we have sufficient interest in the BC. So, the individual is somebody most of you know. It's Drew Bagley. Drew Bagley has two functions he fulfills. He's one of the founders and runs Secure Domain Foundation, where he is the director of operations, and he's the privacy council at CrowdStrike. He is also a professor at the University of Maryland. He was one of the members, one of the experts, that was brought in to the Competition, Consumer Trust and Consumer Choice Review team. That may have been where several BC members heard from Drew because he and Jonathan Zuck came in and spoke to the BC at each of the last two ICANN meetings. So, you had an opportunity to hear Drew present. He's interested. He had phone calls with two or three members of the Non-Commercial Stakeholders Group who said they were interested but I'm willing to make a commitment one way or the other and he is pursuing further conversations with the NCSG. But Drew Bagley would like to know whether the BC and broader CSG are interested in having a call with him for Board seat number 14. And he understands the rules that it has to be a consensus pick. So, I would ask for maybe a yes or no

checkmark in the Zoom room so I can see whether we have sufficient interest.

DENISE MICHEL: Hey Steve, this is Denise. If I could get in the queue.

STEVE DELBIANCO: Hey Denise. Please go ahead.

DENISE MICHEL: It's great to hear that Drew is interested. I think he has the deep experience and skills the BC but more broadly ICANN I think needs now. And its particularly useful that he straddles privacy, and cyber security in his day job and a lot of his prior activities and it would be great to hear from him but more broadly I think it's important for the BC and the CSG to hear from, to have a call with any candidate who's interested in this position. Thanks.

BARBARA WANNER: Steve, this is Barbara. Just a quick question. Would this call with Drew be following our conversation with Matthew or would it be separate and apart? I'm just wondering how to present this to my CSG ExComm colleagues.

STEVE DELBIANCO: Yeah, I have no idea that would depend on Drews availability which Chantelle would arrange and the availability of the CSG colleagues. That

would be totally up to us, as to what we could arrange. I think Drew will be very flexible and he's happy to do a separate BC then ISP and IPC, but it might be better to do a group call the way we are with Matthew. So, his name is Drew Bagley, I put his SOI into the chat and I also pasted into the current Zoom room his SOI. Go ahead Barbara, sorry.

BARBARA WANNER:

No, got it. Glad you put the link in the chat, thanks.

STEVE DELBIANCO:

Alright, I saw several check marks. So why don't we ask Chantelle to contact Drew Bagley and try to find some times. Chantelle, could you assist Barbara at discovering whether the IPC and ISPs also have an interest so we could do a single call? Jay Sudowski, go ahead and jump in the queue.

JAY SUDOWSKI:

Yes, Thanks Steve. A couple things, first of all I know Drew. He's a great guy and he'd be a great board candidate. I think there's two bylaw related issues thought. One is that the board currently is at capacity for board members from North America. So, unless Drew has some alternative citizenship, he could use for the geographic diversity calculation that would certainly be a problem.

STEVE DELBIANCO:

Jay could you clarify on that? This is not a NomCom seat. This is a seat elected by GNSO, are you sure that it's limited by a diversity calculation?

JAY SUDOWSKI:

It is. I'm sure it's one of the lovely quirks of the new bylaws, the post transition bylaws that put the community in a kind of a weird position because SOs and ACs have to put notify the EC of their selections for directors six months prior to the AGM the NomCom on the other hand has to only provide 60 days' notice, and already this year there was a potential conflict with ccNSO having an outgoing board member, Chris Disspain. If they had appointed someone from North America to the board then it's possible that NomCom would have been blocked from reappointing one of the two seated board members, either Sarah or Avri. So that geographic diversity applies to the entire board. There can be no more than five people, five directors, from each region. So North America is at five right now. I also think, and I'm not a 100% certain about this, there is something in there about specifically seat 13 and seat 14 having to be from different geographic regions as well. And right now, I think seat 13 is still Becky Burr so she would be North America. So, I'm not 100% certain on that thing. I can look at the bylaws but that could be another impediment to putting Drew through the process, irrespective of any other broader geographic limitations.

STEVE DELBIANCO:

It's a good thing that the chair elect from the NomCom is a BC member. Thank you, Jay. So that certainly complicates things if that's the case. Jay, could I ask you to do a check and get staff to double check that? Chantelle, would you be able to assist getting staff to doublecheck Jays reading on things and do the board member count and then make that part of the conversation that you have in your outreach to Drew? Thank

you, Chantelle, I appreciate that. That's all I have and I'll turn it back over to Claudia.

CLAUDIA SELLI:

Thank you very much, Steve. I just wanted to remember members that we should start thinking about whom we want to invite for our meeting in Cancun. So, for the [inaudible]. If you have any ideas please let us me and Chantelle know so that we can start inviting people to our meeting. That's I I ask for now. Sorry, I'm not in the Zoom room so I cannot see if there are hands up but if there is nothing to bring up to members that [inaudible].

JIMSON OLUFUYE:

Thank you Claudia. Let me begin by correcting an error is one of my statements last meeting. The last meeting, I talked about councilor Marie being due for election, but actually it's Scott that in first two-year time would be ending around June or July so we need to have election made for that. So, it's for Scott not Marie the call out for that to be in late March. So [inaudible] would know if [inaudible] is contesting or someone else want to take him up.

So that is that. Before we go to the anniversary talk let me also make this announcement that there is a slot open for ICANN 67, that is BC Leadership Development Support for members and a filling a non-member. So, to obtain the ICANNs 67 meeting in Cancun will actually ExComm approved someone for that slot but the personal [funding] could make this slot available. Let us send in an expression of interest by latest 19 February 2020. Priority, of course, will be given to those with

visa to travel to Mexico—those who could get a visa. Chantelle was saying [inaudible] notice to members [inaudible]. Thank you, Chantelle, for all that you do.

Next is the anniversary and I want to begin by thanking and Andrew and Mark. Mark Datysgeld, [inaudible] for all they have done ahead and [inaudible] already. Andrew has got us some details for us. Andrew are you in the call?

ANDREW MACK: Yes, Jimson. I can give everybody an update. Okay?

JIMSON OLUFUYE: Please go ahead.

ANDREW MACK: Yeah, Great. So, we have worked with the GEMS Group and I have spent a bunch of time on the phones with the Hard Rock Café in Cancun and we have a deal that we can live with that is well within our budget. I actually got us, Jimson and those of you on ExComm, if you didn't see ... I managed to negotiate about \$700.00 less than we were expecting at the very worst. So, we may have a couple dollars left over to buy BC members drinks. The way it will work is it will be like a normal GEMS where it will be a cash bar but food for everyone there and it would be Wednesday evening starting after, I think, it's 8:00 and going until midnight. We will have the ability to break the sets up into pieces and do whatever BC things that we would like. So, it will be GEMS brought to you by the BC and I think it will be great fun. So, if anyone has any

particularly strong [inaudible] I will try to add in one. I going to try to get the band to learn "Takin' Care of Business" that seemed like a very good song to do. So, yeah, Jimson, I need you, since we're doing the contracting, to get all of the appropriate banking information. We can connect about that off-line. Chris, while Mark and John are talking about their portions of it, I'll find the exact times and I'll put them in the thing. Any questions from anybody? It looks like it will be a lot of fun and we've done Hard Rock Cafes in Joburg and in Panama and in Barcelona and they've been terrific. So, we're hopeful that this will be the same and all the instruments will show as promised. I've spoken to the instrument guy too. So, Yeah.

JIMSON OLUFUYE:

Okay, thank you very much, Andrew. So off-line we'll pick it up so you can add [inaudible]. [Chantelle, does this say] something about [inaudible] region. It is also [inaudible] region. It could be [inaudible] region. Just to clarify that. BC [inaudible] region. Okay, so Mark, please so much to do, we are a very short time to go. Mark, please.

MARK DATYSGELD:

Thank you Jimson. Hello everyone. Very briefly, on a lighter note you might have noticed on your inboxes an email titled Call to Action and that is a humble request for everybody to record a very short video around one minute long. Very simple not too daunting, very straightforward questions. This would be a great opportunity to get a bit of our voices out there, it would be a video that will play during the event and will live on our website. So, its really simple, make it snappy.

I've included an example there, so that you see that we don't need anything too professional. I tried to make it like as simple as possible, straight from my cell phone. So just join us and please try to record it within the next week. Thank you very much.

JIMSON OLUFUYE: Well let them be sure that we received this mail. I have not received it. Mark?

MARK DATYSGELD: As far as I know it was sent but if anybody can confirm that they got this email? Maybe I'll send it out again.

JIMSON OLUFUYE: Yeah, please. So maybe you can send it Chantelle and Chantelle can rebroadcast on your behalf, if there's a glitch in that regard. Please send it to Chantelle because I've not seen it. Thank you very much. Okay, is John on the line? John? John has been doing some research concerning those that were present at the very beginning—the companies have been involved—so that we [inaudible] awards that Mark is working on. That was a fine line of membership and things like that. John are you on the line? I fear John is not here. Okay. So, well what I can say is that we're online, we are on stream, we are on schedule and I want to again thank everyone for doing a lot of work to make sure the event is a huge success. On this note I will push this back to Claudia.

Claudia:

Thank you, Jimson. And thank you, everybody. I don't know if anyone has any other business points that you want to bring up. If not, we can resume the call.

I don't hear anybody, so we can close the call. And thank you very much everybody for participating. We'll speak in two weeks' time.

[END OF TRANSCRIPTION]