ICANN

Moderator: Terri Agnew
November 30, 2017
10:00 am CT

Andrea Glandon: Good morning, good afternoon and good evening. This is the BC members call on the 30th of November 2017. In the interest of time there will be no roll call. Attendance will be taken by the Adobe Connect room. If you are only on the audio bridge could you please let yourselves be known now?

(Sajda Wushtuki): Hi. This is (Sajda Wushtuki) from Disney.

(Pad Vashaw): Hi. This is (Pad Vashaw), (unintelligible).

(Soco): (Soco) (unintelligible) from Nigeria.

((Crosstalk))

Andrea Glandon: 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 not speaking to avoid any background noise. With this I will turn it over to Steve DelBianco.

Steve DelBianco: Hey thank you. When Andy Mack joins we'll have him make his remarks at that point. We're going to start with the policy discussion so (Andrea) please put up the policy calendar and scroll directly to Channel 2 which is the GNSO Council section of the policy calendar. We circulated that calendar about 24 hours ago to all of you and it probably is the longest policy calendar we've ever had. There's a lot going on. (Susan) we're going to turn to you on Channel 2 to discuss the five or six items that I've noted in here for your council agenda which is happening later today.

I'll also note that we will have two representing us on the council call today. I will be the temporary alternate for today to fill in for the vacancy period when Phil Corwin resigned. So (Susan) will be telling me how to vote and what to do. And then by the time the next council call happens we'll have our new GNSO counselor elected so it's really just a temporary position. (Susan) over to you please.

Susan Kawaguchi: Thanks Steve and sorry for the change in the agenda. I just have a conflict at 8:30 so Steve and Andy graciously allowed me to go first.

So there is a lot going on. We do have a vote on our draft response GNSO response to the GAC communiqué, pretty sound response. And we are reiterating a lot of comments we've made before. So I don't think there's anything controversial there. It does include the GAC was pretty strong on requests on GDPR of ICANN so we definitely responded to that part. And then we all moved to the IRTP Part C.

Steve DelBianco: (Susan)?

Susan Kawaguchi: Yes Steve?

Steve DelBianco: Hey thank you (Susan). It's Steve. I also wanted to note with respect to the first item the draft and GNSO response one of the things in the GAC communiqué from Abu Dhabi that got everyone's attention was the strong language about preserving access to Whois not just from governments and law enforcement but from others trying to prevent fraud. Do you – I think that the GNSO draft response is really weak on that. It doesn't agree with or do anything to comment on the GAC's strong endorsement of the open Whois. was that something you debated on counsel before you came up with the draft language?

Susan Kawaguchi: No and actually we have an opportunity today to add to that language. So I can strengthen that. We have not – it's only been on the email list. You know, we do just refer to the RDS working group and all the work done there but you're probably right we should put in some language supporting their call for maintaining a Whois.

Steve DelBianco: (Susan) if you decide to do that during today's call just use your back channel (discussion). Tell me how I can be supportive of that. Thank you.

Susan Kawaguchi: Okay will do. And then I'll try to get some language out to the list on that before the call too. So and then the next item is to – so IRTP Part C is part of the transfer policy for a domain name. And when this was all decided they did not take into account a proxy registration. So if this policy is implemented removing a proxy the mass registration information would count as a change of registrant. And that would trigger the 60-day registrar hold on a domain name. You can't transfer it for another 60 days.

So that may or may not make sense. That is something I need to dig into a little bit more with others. So if anybody else has input on that but we have time to work on that. What this motion will do is push this work into the

proxy privacy IRT which I think is where the appropriate place is for this and we'll be able to have our voice heard on that there.

What I don't want to do is relinquish any IT rights in - or our ability to - I mean if it's an IT owner who's used a mass registration that's fine. But it might be helpful to prevent sort of the cyber flight if it's a mass registration and then they - the registrar doesn't want to deal with the mass – doesn't want to be providing the mass registration anymore because it's an enforcement issue. And then - and it would be the - domain name could not be transferred to another registrar which just sometimes starts things over in an enforcement action so I'm sort of digging into that. We will confirm Heather to the - yes I'm sorry Steve. Go ahead.

Steve DelBianco: Okay thanks. I had my hand up. I just wanted to comment on that item. On the Thursday in Abu Dhabi we met, the CSG met with the contract parties. This discussion was brought by Graeme Bunton. And the BC members that were there generally agreed that the principle that somebody changing their privacy and proxy shouldn't necessarily instituted a 60-day lock.

We have general agreement with that and promised to get back to Graeme. About a week later Graeme asked for help. We provided some input.

But I think that those of you who use Whois a lot and worry about things like locks on transfers this is the time to let us know about whether there are problems. The people who change their privacy proxy and whether that should cause them to have a lock up because we signal as (Statton) has indicated, we signal general agreement with our principle but we were together in Abu Dhabi. We're going to deviate from that or have the qualifiers it's important for us to drum - to make those explicit as soon as we possibly can. Thanks (Susan).

Susan Kawaguchi: Thanks Steve, good point. So and then we're moving on to the empowered community. Heather is - as chair will be appointed and that we appointed (James) so that makes sense. There will be a lot of discussion and I don't think we'll – we have a motion but I don't think we'll have a vote on the Whois conflict with privacy law.

The IPC - well Keith Drazek from the Registry or Stakeholder Group proposed language for a motion. We've been working on this. The GNSO Council has been working on this for a long time and along with the IAG they came up with the new conflicts, new draft for this conflicts with privacy law and they couldn't agree on it. It looks like the GNSO Council's not agreeing on it.

BC has put in comments before but this is – that was really to ICANN. You know, this draft was not - did not review those comments necessarily and so this comes from the Registry Stakeholder Group. The IPC has pushed back and provided some language to modify the motion but that doesn't look like there's agreement there so there will be a discussion today on the on the call. And then we'll have a council strategic planning session in January. Is there anything else that is critical for…

Steve DelBianco: Number 10 there? Yes Number 10.

Susan Kawaguchi: Oh yes. So, you know, oh yes that is very critical and thank you very much for that. And (Denise) might be able to give us a little more color I haven't checked in on this since the holidays. But it seems to be that there is, you know, the Security and Stability Review Team is still in limbo. The GNSO Council is pushing it hard to get the other SOs and ACs to agree to list that suspension and to push back on this action in general.

So hopefully we'll hear some good news. And (Denise) if you have good news to tell us if she's on the phone. Yes she is. And so, you know…

Steve DelBianco: (Susan) yesterday – two days ago we had a meeting here in Washington DC where Goran conducted an informal discussion. And near the end of it I asked him and said, "Help us if you can to get the SO AC leaders to quickly give direction to the SSR2 Team because I said that on the last day in Abu Dhabi I really believe that the SO AC leaders kind of botched the communication to (Denise) and (Eric) and the team members because they didn't make it clear…

Susan Kawaguchi: Yes.

Steve DelBianco: …that they wanted them to meet and to look at things like the terms of reference and what skills they needed. And I really think they botched that. And it's at a big cost. So I said to Goran can you help to get the SO AC leaders come together and make it clear on what we want to do in terms of hitting the resume button? Well he said yes he would and he acted like he knew what I was thinking of.

But I don't think (Susan) it makes any sense to push back on the board and management at this point because the ball is in our court. The SO AC leaders who have full authority to supplement the folks that are on the team with (Denise) and to bless the new terms of reference when (Denise) and the team have decided what they want it to be.

Susan Kawaguchi: I agree with that partly. But I do think that we have an opportunity in comments coming up on the - and you'll have to remind me but the document for the IANA transition but to put some processes in place where this can't happen again as the Review Team, RDS Review Team members I am just

pounding on ICANN staff and actually Chris Disspain our board member to make sure that everything they do is accurate so you don't have this false sense of a team going astray based on basically no facts.

And so I think we have a, you know, we – you're right. We need to get the SO and AC leaders and GNSO chair needs to be a leader in that to push this forward and get resolution but I, you know, the other concern I really have is the board took this unilateral action based on innuendo and whispered rumors and sort of crazy fact sheets. And, you know, they didn't really look at the true evidence of what was going on. And as an RDS Review Team member I'm very concerned about that because I have reviewed everything. I've actually pushed back and had the board modify the RDS Review Team motion that they put in place which gave us a date prior to our being formed to provide the terms of service board or terms of all of our work plan and everything and so - terms of reference and so, you know, so that we get this right, we get all the facts correct and we don't end up in a situation again. And I think that's it.

Andrew Mack: (Susan)...

Steve DelBianco: Okay thank you.

Andrew Mack: ...this is (Andrew). Just a quick question so that I'm understanding. What is – all of the things that you just said made sense. What is the action that just review, what's the action you want us to take as VP?

Susan Kawaguchi:On the SSR Team or Review Teams in general is - and I'm blanking on the document that I agreed to provide comments on. Steve maybe you can help my memory. But we have an opportunity to comment on that and it's probably in your regular – in your policy calendar.

Steve DelBianco: That's right.

Susan Kawaguchi: So anyway I just think that we as the BC should make sure that our processes for the Review Team and any of the new IANA transition operations that we have processes to follow and they're just not made up on the fly. That's my point of view.

Steve DelBianco: And (Susan) that's Number 8 under Channel 1. It's the new operating standards for ICANN reviews.

Susan Kawaguchi: Right there we go.

((Crosstalk))

Steve DelBianco: (Unintelligible) 15th of January. And we already have volunteers which include you, (Faisal), (Lars), Marilyn, (Waudo) and myself. And you're right we're going to cover it then.

Susan Kawaguchi: Right.

Steve DelBianco: All right thanks a lot (Susan).

Susan Kawaguchi: I think that's it for me.

Steve DelBianco: Appreciate that. And (Susan) I will be back channeling with you on Skype during the council call today at 4:00 PM to make sure that you let me know what I can do to help. Okay?

Susan Kawaguchi: Okay. That sounds good.

Steve DelBianco: Thanks (Susan).

((Crosstalk))

Steve DelBianco: Let's just return to the policy calendar and go to Channel 1 on public comments. There's quite a few on here and I'll try to move as briskly as we can. Since our last call we have submitted three additional comments. On the 26th of November we put in a two-part comment on the fiscal year 19 operating plan and budget one for PTI, the technical identifiers and one for IANA. And these were two budgets. They were both Jimson Olufuye and Jay Sadowski came up with some let's say form comments where we gave advice to ICANN as to doing a better executive summary but there were also a couple of questions and comments on the substance of the budget. Thanks to Jimson and Jay on both of those.

On the 14th of November we sent questions into ICANN legal, questions that Goran tells me have been submitted to the Hamilton Law Firm. These are questions regarding GDPR and Whois. I want to thank (Tim Chang), Jay Sadowski, Marilyn and (Margie) for helping with that draft. Our questions complemented the questions that the IPC sent in but ICANN has s not been at all transparent all about what they've done with the questions in terms of consolidating and editing.

I've asked Goran about that. I got the impression they just simply forwarded everything over to Hamilton. If that's the case we would expect to see a publicly displayed answer to all those questions. And Goran reiterated that any documents that Hamilton sends back to ICANN legal will be posted publicly.

Great. So let me move on to the current open public comments. There are a lot of them. There are currently I have a total of eight of them. I'm only going to cover a few that are going to be due quickly.

The first is due today. It's the target level and rationale for the reserve fund at ICANN. This is a reserve fund of money that was used for operations. It has nothing to do with auction proceeds and legal reserves, the lawsuits on gTLD. It's the operating reserve fund.

ICANN targets this at 12 months of operating expenses. And our own comments drafted by Jimson, Jay and Marilyn they were circulated for member review about two weeks ago. And I circulated a somewhat updated version with the policy calendars, the first attachment to the policy calendar. And we are suggesting that the reserve fund meet at 17 month not twelve-month level of expenditure.

So the question of reserve fund came up in the discussion with Goran on Tuesday and Marilyn Cade broached the subject of how much - and how much funding can be provided to satisfy that reserve. Marilyn I see your hand up. Did you want to comment on that topic? Marilyn do you want to comment on that topic?

Marilyn Cade: I just make a very - this is Marilyn Cade speaking. I'll just make a very short comment because I'm going to comment differently on the different idea but a different topic. I think I only want to reinforce the importance that we are commenting on this. I provided some comments, Jimson did, others did. But I - the important thing is the BC is speaking on this. And I say that because I am also Steve I'm not going to take it's just 30 seconds but I'm representing the BC along with (Charlof) and (Eduardo) and others on what ICANN spends money on as well as Jimson. I just want to ask that we put forward the idea

we're consulting the BC members on all of these topics. That's my only comment.

Steve DelBianco: Thank you Marilyn. Chris Wilson asked in the chat does the BC feel strongly about it making it a 17-month target as opposed to the 12. And what we said in our update is the reserve fund shall be absolutely funded within a minimum of 12 months expected expenditures but ideally at least 17-months of expected expenditures. And so Chris we have a minimum of 12 but ideally 17. I think that ought to be the kind of language that you would be looking for. This is…

Marilyn Cade: So…

Steve DelBianco: ...your chance everyone. Members of the BC this is our chance. I'm submitting this comment today and you've all had two weeks to look at it. It's a great time to hear if we have any (unintelligible). Marilyn I heard your voice. Go ahead.

Marilyn Cade: I just want to make a quick comment here. I think this is an incredibly important issue for us at the BC. We are about SSR. We are all about ICANN's stability, resiliency blah, blah, blah. I'm sorry for saying that on the - but, you know, I'm just going to say (unintelligible) need to advance this issue. You're not the contracted party but we are the most affected community as business users. So I really hope that all of us will support this idea we need 17 months of funding and then I'll just shift over to make a different comment.

Steve DelBianco: Okay. Could you save that till later after we finish this discussion? Would that be okay Marilyn?

Marilyn Cade: Of course yes.

Steve DelBianco: Let's just stay on this topic right now because we have a comment to finalize. There have been two folks in the chat who bring up the adequacy 17. Let me add that Goran has said on multiple occasions and he said it again on Tuesday that he is very worried about the funding of ICANN, the incoming revenue. He sees it as flat to declining. And that might actually be the chief justification to have a longer period of expenditures in the reserve. We are looking.

If you believe him he believes that the incoming funds to ICANN will be going down over time. Let's continue there. Is there anyone else in the queue who wants to comment on this because we're going to put it in with the language on ideally 17 but at a minimum 12 months?

Is there anyone who objects to that and wants to continue the discussion of whether it should be cut to 12? Great thank you. I'm going to be submitting the comment later today. Marilyn back to you. Marilyn do you want…

Marilyn Cade: I was just going to make a very, very quick - sorry Marilyn Cade. I' going to make a very quick comment. Not a good use of our time today but if I could Steve ask you for time on the next BC call there are those of us who are participating in the use of the auction funds could comment and come to the community because frankly, you know, there's a question about whether the auction funds could supplement the core issue here. So rather than taking up time if I could just ask for 15 minutes in the next meeting and all of us who are working on the auction fund would prepare a written description of the issue and come back to the BC. Is that okay?

Steve DelBianco: Marilyn before the next call which would be December the 14th we - it would be - I would be grateful if those of you working on that group would prepared an email to the BC indicating the key questions for discussion and then we'll

see if we can allocate something in the neighborhood of five to ten minutes to cover the topic during the call so thank you for that.

The next slide I'm on here is the comment on internationalized domain names, the second comment on IDNs. And these are the implementation guidelines. These comments close December the 10th. It is before our next call. So we do have the next 11 days to review these comments. Let me thank Andy Abrams, Paul Mitchell and Olga for drafting the BC comment in typical form things that Andy works on are extremely tight and this is a good one. It was circulated the 16th of November.

The current version is the second attachment to the policy calendar on IDS. If you recall we discussed this in Abu Dhabi and some of our concerns is that there are visual similarities between Latin script letters and (heroic) script letters in others. So those visual similarities can sometimes be exploited by bad actors to confuse Internet end-users with regard to domain names or email addresses. So I think it's a strong comment. You'll have an opportunity on this and I will send a last call reminder three days before it's due.

Are there any comments from the drafters or anyone else on our current draft comment on IDS? Looking at you Andy Abrams in case I missed any of the highlights of the comment?

Andy Abrams: Hi Steve. No thank you. You know, please everybody take a look at the draft. I think we really wanted to emphasize that we do want to encourage the use of IDNs for gTLDs. At the same time like you said we have seen some bad actors that are using them for (at least) the purposes and so we do think some of the implementation guidelines are good in terms of mitigating some of those potential abuses.

Steve DelBianco: Thanks very much Andy, appreciate that. The third one up is closing on the 15th of December just a day after our next call and so I'm going to need people to pay attention to this. We had volunteers to do this. These are proposed recommendations from Workstream 2 on enhancing ICANN's accountability through diversity. So it's one of the nine Workstream 2 threads.

Now remember Workstream 2 was a transition, carries with it the highest possible obligation for the ICANN board to accept and implement recommendations. They have to vote by 2/3 at the board level to reject any of the recommendations coming out of a Workstream 2 project. And they have to vote twice. So it's higher than even the PDP recommendations.

For that reason this is our one shot at potentially implementing accountability reforms that carried over from the IANA transition. We currently have a lot of volunteers on this project from (Mark), Jimson, Andy Mack, (Christian), Marilyn, (Toll), and (Maudo). That is now 16 days away so I will continue to prompt you to provide the elements of the draft. I'll work with you on editing in prior comments.

The BC has been pretty articulate on how we deal with and feel about diversity. And many of those comments were already submitted when that group was asking for input. So at the very latest we want to see whether the BC's inputs on the prior just document have been adequately reflected (unintelligible) put out for public comment.

Jimson thank you for a couple of overall points that you circulated. I have that in there as Attachment 3 but I do want us to be attentive to the fact that we've already commented substantively on issues of diversity as well. So we'll take a queue on that one. Marilyn I see your hand up. Go ahead please.

Marilyn Cade: Thanks. Thanks so much. It's Marilyn. I've sent some comments to Jimson. I really apologize. It was late but I want to make a couple of comments for all of us.

I think we're – it's really wonderful that we are engaged but I do want to offer some cautioning comments about how we engage on gender and also on language from an affordability perspective. So I sense a detailed document to Jimson to ask him to look at it and then we would send it to the rest of the team. I'm not trying to be negative but I am trying to be pragmatic.

We as the BC may need to have special treatment to do translation but that doesn't mean that icann.org can be translated into more than the UN's six languages. What I prefer to do is work with Jimson, with a small team, get the comments out pragmatic about what we can do and making sure that what we need as the BC if we need special treatment then we get that special treatment and funding from the ICANN Outreach Team.

Steve DelBianco: Great thanks Marilyn. Speaking of outreach later on in the call if we have time I'll ask you to update us on how well it's going on filling out that survey on travel support that you volunteered to lead. I want to see where that stands. Let me move on to the next item for public comment.

Number 4, 5, 6 and 7 are all due far enough in the future that we're not going to get into too much detail right now but I need volunteers. Number 4, 5, 6 and 7 on this policy calendar three of which have to do with Workstream 2. So Workstream 2 carries that high bar of obligation for ICANN. So the jurisdiction, the Office of the Ombudsman and the improvements on staff accountability are bite-sized comments that BC members who are perhaps even brand-new to the process of drafting BC comments I think you're going to find that these are very digestible issues to come around. Even jurisdiction,

something as controversial as the ICANN jurisdiction, came down to just a handful of recommendations about making it easier for people to participate in ICANN even though a nation, in particular the US, might be imposing sanctions on individuals belonging to a country.

The notion of contract parties being able to have a choice of how to resolve disputes over contracts, these are very practical recommendations, and it doesn't take a lawyer to understand them. So I need some volunteers, and I will look for some hands-on volunteers on the Ombudsman recommendations. Any volunteers for Ombudsman?

Hey Stephanie, thank you for helping with staff accountability. I appreciate that. Anyone Ombudsman? You can put them in the Chat, and I'll make a note of them on this call. On jurisdiction, fantastic Claudia. Thank you very much. And Marie, CCTRC which is #7, fantastic. We're going to need some help on that. We don't have Waudo on the call Marie, but let's do an outreach to Waudo since he's on the CCTRC, and I'll bet he'll help with that.

(Andrew Mack) on staff accountability. I feel like I'm running a little charity auction here. Let's go. What's the next bid? Okay, Jimson on Ombudsman. Thank you. I know you were an observer on that one as well. All right, thanks everyone. That gives us at least one volunteer on each of those next four. Thank you very much – so much appreciated.

Number 8 was the one on operating standard reviews, and we all have – we all have volunteers for that one already. All right, thanks everyone. We're going to move on. We can skip over channel two because channel two was the section on council. We've already covered that.

And let me move to GDPR and WHOIS. Keep in mind that BC has really been a leader in trying to force ICANN to admit a greater segment of the WHOIS user community under discussion of how we deal with the interim period between now and next May, and more importantly how you deal with the period between May of 2018 when GDPR kicks in and some months after that when the PDP working group on registration directory services finishes its work with a replacement for WHOIS, which will undoubtedly be something to do with the tiers of validated access.

And that period of time called the interim, is one where ICANN is making a unilateral declaration on how they want to handle enforcement. They made that on the Thursday session in Abu Dhabi. And that compliance statement by Yoran was a topic of discussion in the Tuesday meeting here in Washington, DC.

As I noted earlier, there were several of us from the BC who made it to that meeting here in Washington. We had Marilyn Cade, Stephanie Duchesneau, (Gayle Slater) from the Internet Association, Chris Wilson and myself. There were also some IPC members there. And we pressed Yoran on where he came up with this unilateral compliance statement.

The answer was mostly ICANN single handed it to him, and despite us bringing up this approved procedure on how ICANN is supposed to handle conflicts between WHOIS and privacy law, I have to say my observation is that I don't think Yoran knew that that was a policy. Steve Metalitz helped me to drive that home during the meeting. And Yoran basically said, "Yes, yes, we'll follow that procedure."

But I can tell you we're going to have to hit that nail a lot harder. And that's why I want to thank Denise Michel, Tim Chen, and (Jay Sudowski) who took

the initiative of drafting a letter to ICANN, specifically calling out how is it we skipped that board approved procedure, and how were we going to get back on track with community input with regard to these interim compliance concerns.

So at this point I would like Andrea, if you don't mind please, would you please put up the pdf of that draft letter? And I would like to turn it over to (Jay), Tim and Denise. We don't need to read the letter. Everyone has received it and they'll have a chance to look at it. But this is an opportunity for folks to ask questions about this approach, so I will take a queue on that.

Marilyn Cade: Steve, it's Marilyn. I'm sorry. I'm going to have to drop off. But I'm going to make a (unintelligible).

Steve DelBianco: Marilyn, are you on this topic? Is it on this topic?

Marilyn Cade: It's on this topic. It is on this topic.

Steve DelBianco: All right. Please go ahead.

Marilyn Cade: Look, in my view we have – I've looked at the history of the letters we have sent to the board and the presidents and CEOs, okay? I did some of those. I signed some of those, blah, blah, blah. I'm not – I think we need to be firmer about our comments. I think actually that's what we heard from the present CEO and president – give us strong messages. I mean I'm just going to be frank here. I think…

Steve DelBianco: Marilyn, let me be frank. Have you read this letter? It is…

Marilyn Cade: I have.

Steve DelBianco: …if nothing else, firm. It is a firm letter, but it is not rude. Firm and – let me ask you specifically. If you have changes to the letter, I'm going to ask you to send them as a reply all to the email I circulated this morning.

Marilyn Cade: I will, I will, I will Steve. But I'm also going to say here's what I know from working with CEOs, and you know about this. It's got to be a one pager, right? But I think every one of our messages is important, but somehow we're not being heard. That is the most stupid thing I have every seen in what, you know, look, I'll look at the letter again. But I think – and I think it's really fantastic. But it's clear that they're not listening to us. I'm…

Steve DelBianco: Okay, thank you Marilyn. Are there any others who want to comment? I see (Andrew Mack)'s hand is up. (Andy), please.

(Andrew Mack):   Yes, Steve. Thanks. I think let's try to focus if we can. Specific to the letter which is what Steve is asking, if we have comments specific to the letter, that's great. If there are other things that members of the BC would like to try in addition to try and amplify our voice, or if there are other mechanisms that we would like to employ in addition to the letter, I think everybody on the BC is open to that.

So by all means, please feel free after this call is over to suggest those things. I don't think anybody on the BC is opposed to getting those new ideas. So let's see if we can't crank through this letter. Thanks.

Steve DelBianco: Right. And Andrew, let's try to keep it to one page. It's barely one page right now. But that means that we don't want edits that will add lots of history of WHOIS. That isn't the topic. It's about making it clear that we don't believe

ICANN followed an established, board-approved procedure for resolving a conflict between WHOIS and privacy laws.

Those conflicts are completely unfair to contract parties. And contract parties need to have a clear direction on how they get through that problem. So I'm completely sympathetic with the point of view of the contract parties. But ICANN has a procedure, and it doesn't look like they followed it.

And when we brought this to Yoran's attention on Tuesday, he indicated yes, I am all about process. We're going to get right back on that process. But I don't know how that even works right now, given that they've already declared their enforcement scheme. How do they then open up the public comment period that might be necessary to help the contract parties?

Now the contract parties are on record as saying they can't wait 30, 60 days for something to make its way through. They need to put into place their compliance schemes, and it's not just WHOIS. There's data escrow, there's data transfers, there's a lot of places where European resident information gets moved around the world. That's anytime it leaves the EU, GDPR is implicated, right?

Anyone else in the queue on this? Marilyn, is that an old hand or a new? Okay, not seeing anything, we're going to give another at least three days of review period for the letter. Why don't we set it up for Monday? We will wait until Monday before then.

And I'm also asking the IPC to consider signing on. So this would not be a public comment period. This is a letter to the CEO and board chair that would come out under the name of our BC chair (Andrew Mack). And hopefully the chair would be IPC. So we'll work on that, and Barbara Wanner, I might ask

you help to see whether we can get our colleagues in the ISPCP to join on this.

Because our letter is not all about preserving WHOIS. It's about sticking to process when it comes to resolving conflicts with law. So Barbara, may I ask that you do help us to do some outreach to the ISPCPs on this?

Barbara Wanner: Okay. This is Barbara for the record. May I forward this letter to them as part of that effort?

Steve DelBianco: What I would possibly do is look at the email I sent this morning giving all of the background.

Barbara Wanner: Okay.

Steve DelBianco: And I would edit that letter. I'm happy to work with you on it so that we don't disclose things from an off the record meeting with the CEO. But we have to give it adequate background for the ISPCPs to understand that this is a process question. Because the ISPCP, they're just as concerned as the contract parties when it comes to having contract revisions that get in the way of the law.

Marie, you have a comment in the Chat as well? Trade off (unintelligible) what the solution is. Marie, did you want to comment on that verbally? And then while we're on the subject of GDPR, I've given each of you an update and a policy calendar – an update on what's going on with a sub group of the IPC and the BC, looking at whether a code of conduct approach could potentially handle this. And I welcome participation. There are plenty of BC members already in that. And I think my email was pretty clear about it.

Claudia, you sent an email around this morning about something that was relatively new in the European commission or European union. Did you want to clarify what you've learned?

Claudia Selli: Sure. Well the European Council basically adopted draft county conclusion on cyber security on the 7th of November. And in this conclusions there are two paragraphs that talks about WHOIS. So they clearly say that they, you know, that they want the European position to (unintelligible) the European and global internet governance decision, and for example insuring swiftly accessible and accurate to this database.

So I thought this could be interesting for the group. It's not a binding decision, but it's a clear message that the European membership sent to the commission. So I thought it was interesting for the group and for discussions ongoing.

Steve DelBianco: Thanks Claudia, and thanks for sending that email earlier. Andrea, if you would reload the policy calendar, I'll happily turn things over to Barbara Wanner to handle channel three on the CSG section. Barbara?

Barbara Wanner: Thank you Steve, and I will be very, very brief. Basically we – the meeting that we had hoped to have on intercessional planning earlier this week was postponed to next week, so I have no updates – no further information to update the (unintelligible) at our – I guess at our Abu Dhabi meeting.

Secondly too, there – so that we will have a call on the 5th of December for intercessional planning, and then there will be an important call on the 7th of December concerning planning for ICANN 61. If we want to propose another topic for a cross-community session at ICANN 61, I think the deadline is fast

approaching. I think it was largely due to the BC's impetus that we got the cross-community session included at ICANN 60 pertaining to GDPR WHOIS.

So if you have any suggestions of how we might take that forward as another topic for a cross-community session at ICANN 61, I welcome your comments now and through email. I hope to participate in both of those calls.

Steve DelBianco: Barbara, December 15 is only one day after our next BC call, so you're right. We're going to have to solicit BC's interest in cross-community topics via email. And I know that Andrea had circulated something about that. But Barbara, as our lead on this topic, perhaps you could circulate to the BC members with a three or four-day deadline to respond to all with ideas for cross community topics…

Barbara Wanner: Okay.

Steve DelBianco: …at ICANN 61. Thank you.

Barbara Wanner: Okay, that's it for me.

Steve DelBianco: Andrew, back to you.

Andrew: Yes, thank you. And apologies, I was on a call that I was leading before this one, so I apologize for being a couple of minutes late. Thanks Steve for jumping in and picking it up.

So I think the next one is for Jimson. Jimson, operations and finance – you want to take it from there?

Jimson Olufuye: Yes, sure Andrew. This is Jimson Olufuye speaking. I'll be quite brief also. Firstly on new membership, I'm happy to announce that one new member, in fact two new members, one from Egypt – that is Global Telecommunications Technology. And you can recall that the field allow (unintelligible) in Abu Dhabi. And participated in all of our events.

And the second new member is from Brazil. That is the union of diplomatics company for the state of Rio de Janeiro. When the (unintelligible) apologies to (unintelligible) friends from Brazil (unintelligible) Rio de Janeiro. Sindicato das Empresas de Infomatica de Estado do Rio de Janeiro. And thanks to Andrew Mack for helping with the translations.

So I want to thank the credentials committee for the speedy processing of these new applications. Thank you.

And secondly on (unintelligible) the difference of nomination comparing the election. Glen did send the details of nominations concerning the elections. And (Andrew Mack) forwarded it to the list so you have it already. We only have one candidate per slot. For the chair we have Claudia Selli nominated by Chris Wilson and seconded by (unintelligible).

Vice Chair of finance and operations we have the candidates Jimson Olufuye. Nominated by (unintellibile) and seconded by Nivaldo Cleto and many others. Vice Chair of Policy Coordination Steve DelBianco is the candidate nominated by (unintelligible) and seconded by (unintelligible) and many others.
And for the CSG we have Barbara Wanner as the candidate nominated by Andrew Mack and supported by Marilyn Cade and many others. And for the council (unintelligible) we have Marie Patullo as the candidate nominated by Barbara Wanner and supported by Susan Kawaguchi. We are now in the

phase of submission of candidate statements so this needs to be in before December 6th.

So the election period is still on. And I wish everyone involved great luck. And finally, (Andrew Mack) has been talking about the plan for (unintelligible) outreach during the IGF in Geneva. So (unintelligible) the possibility of (unintelligible). So (Andrew Mack) will speak more on this.

That is all from my side. Is there any question? Thank you.

Andrew Mack: Great Jimson, thanks very much. I'll take everyone off speaker so you can hear a little bit more. Three things if I could. First of all, I wanted to say thank you to everyone who volunteered to run for office. As a BC we are – as a constituency we're really only as strong the people that represent us and are willing to step forward.

And as someone who has recently done it and knows what it is like, it is a good thing that you're doing for your community and your community is very grateful for it. And it is one of the things that really distinguishes the BC – the depth of knowledge of the different members that we have and everyone's willingess to step forward.

And we're seeing it both in terms of the volunteers who are doing work on comments for sure, but especially people who are willing to stand for office. And so we are representing the broader group and we are very grateful for that.

The second thing is in terms – I wanted to acknowledge some or our new members that are on the call because, you know, we are as strong as our – as our ability to keep growing. And I know that there a number of new people

who have joined the BC recently. The credentials committee has been very active. It's very encouraging to me.

In terms of that reach, this as you know has been one of the issues that is of great importance to me. Jimson mentioned IGF. Let me make the following suggestion to everyone because we've now received a couple of requests for support for IGF. I think we want to try to make – as much as we can we want to try to make all of these things happen in a process based way as opposed to ad hoc.

So we're – I'm going to forward a note after this call to members of the outreach committee to take a quick look at that and review it. We have a sense of what budget is available. It is for the outreach community – for the outreach committee to make a recommendation to the executive committee and to get everything taken care of.

We will endeavor to act as quickly as we possibly can. I know that IGF is coming down very soon and revisit that, and to come up with an approach to it. So Jimson, we will address that. And Mark, we will address that as quickly as we can.

In terms – we also want to think in terms of our future events that are coming up because we do have a number of – yes, we have three coming ICANN meetings in the Spanish speaking world, two in Latin America and we want to take full advantage of that. And so be thinking about those as opportunities, thinking about how to leverage our contact and our interest in those areas and how to continue to do what I think we've done a very nice job of, which is working with our local BC members and partners to activate new networks.

That's mostly what I have in terms of outreach. Is anyone – anyone have a comment? I don't know if Marilyn is still on the call and able to do the report on travel support. Marilyn, are you still here?

Marilyn Cade: I'm still here.

Andrew Mack: Okay, great. Would you like to talk a tiny bit about that travel support piece?

Steve DelBianco: This is the survey Marilyn.

Marilyn Cade: Thank you Andrew. I'm going to make this (unintelligible).

Steve DelBianco: On this topic is the survey. If you recall, the BC was asked to fill out a survey on travel support by ICANN. You volunteered to take care of that and run that project. I know the due date has come and gone. But I believe you had some progress you wanted to report on getting that survey completed.

Marilyn Cade: Thank you Steve. Yes, thank you. I wanted to comment, and perhaps I could then ask for more engagement from all of us, if that's okay. First of all we did provide initial comments for the travel support. I see many on the list that are engaging – Andrew and many, many – Jimson, many, many others (unintelligible) that are, you know.

We are trying to figure out what the – my approach is so that it's not just about travel to ICANN, but it's about onboarding to ICANN, meaning when you come to an ICANN meeting for two to three meetings, but you come into the BC or invest in our priorities. So if I could just say, I'm not going to spend a lot of time on this, but we have a few people that are working on this.

And anyone from the BC that would like to join as Andrew has invited, the rest of us trying to figure out how do we spend our money – the BC money. How do we advise ICANN on spending their money? That would be so welcome. If you're not involved already, let us know. Steve, is that okay?

Steve DelBianco: It is but it doesn't answer the question. I would hope that you could circulate a draft response to that ICANN travel support survey as soon as possible.

((Crosstalk))

Steve DelBianco: BC members can give you some feedback, and then you could submit it. Because I realize that we're at this point two weeks late on that, and the ball is in your court.

Marilyn Cade: Well Steve, sorry, just a quick minute. I will submit a draft. I did a draft but somehow that document was not sent to us. It was only sent to the councilors. I'm not complaining. I did a draft after I learned about it. I'll send it out again. I'll do it by tomorrow. But this was an accident I think, that the comment was sent only to the councilors, not to the rest of the community. So…

Steve DelBianco: Right. And our council made sure that it was given to the entire BC. And two weeks ago you thankfully volunteered to help draft an answer for us. So thank you for that and we'll look forward to circulating a draft response on this. And I hope others can supplement some of the draft answers that you've got in there. Okay?

Marilyn Cade: Thank you.

Andrew Mack: Great. Thanks Steve. And thank you Marilyn, and we'll look forward to getting that. And everybody please, given the timeliness of it, if you can respond with any comments very quickly, that would be most helpful.

Are there any other BC members who have any other business that we'd like to go to? We're at 11:57. I want to make sure we get done more or less on time. Any other business? Any comments?

Steve DelBianco: Andrew, it's Steve. Note that five people in the Chat are basically agreeing that if we allocate any of our outreach budget to attendees at IGF, that any allocation would be reserved for those who are presenting at IGF in a place where they could advocate for BC membership to a business community audience.

So we don't want to create an expectation that this is a travel funding opportunity. It's an outreach funding opportunity. And thanks for giving me a chance to say that.

Andrew Mack: Yes, no I understand completely Steve. And what I will do is take that and circulate it to the outreach committee for their immediate consideration. And we'll get back as quickly as we possibly can once the outreach committee has jumped in. I understand exactly what the group is saying, and that makes good sense.

Steve DelBianco: Yes, and you may need to send an email to the BC soliciting over the next 24 hours or so. So let's get a list of people who are going and presenting and who feel they would need travel support. Because if we don't get all the names in, then the outreach committee won't really know what pool is considering.

Andrew Mack: Yes, that makes good sense. Again I want to stress the importance of – let's get our policies and our practice locked in on this one so that it – so that we're doing it in exactly that way. We have a clear idea what the criteria is and a clear idea of everyone in the BC who may be interested and applicable. That will get sent out just after this meeting.

Anyone else? Any other business? Great. I'm not seeing any. I want to thank everybody for their participation. I want to say thanks to all of you who have been volunteering and being supportive of our new members. And have a great rest of your week. Thanks very much.

Andrea Glandon: Thank you. Once again the meeting has adjourned. (Jessie), the operator, if you could stop all recordings. Everyone else, please remember to disconnect and have a wonderful rest of your day.

END