

ICANN

**Moderator: Chantelle Doerksen
September 28, 2017
10:00 am CT**

Coordinator: The recordings have started. You may now proceed.

(Andrea): Thank you. Good morning, good afternoon, good evening. This is the BC members call on the 28th of September 2017.

In the interest of time, there will be no roll call, as we have quite a few participants. Attendance will be taken by the Adobe Connect room. If you are only on the audio bridge, would you please let yourselves be known now?
Thank you.

Hearing no further names, 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 Andrew Mack. Sir, you may begin.

Andrew Mack: Thank you very much, (Andrea). Welcome to the BC team. On behalf of the entire BC membership, we appreciate your being here. I know that it's got a - we've got a very, very busy calendar and so I'm going to brief. It seems a sad

thing to be talking about the disaster of the week, but I just wanted to say on behalf of the BC that our hearts go out to all of the members of the community who have been affected by the most recent hurricanes, especially Hurricane Maria, which was affecting San Juan and Puerto Rico more broadly.

We were just on a call this morning and they're talking about how to proceed forward with that. So we'll keep you apprised as to what or if any changes are under discussion. At this point we're still trying to wait and see. But on behalf of the BC, our hearts really go out to everyone who's been affected by the storms.

Steve, I know we've got a big busy policy calendar. You want to pick it up?

Steve DelBianco: Thanks, Andrew. Steve DelBianco here. And (Andrea)'s putting up the policy calendar. I sent an updated one yesterday afternoon. The only item I need to cover under channel one is to thank (Waudu), (Stephanie), (Margie), (Marie), (Chris), (Marilyn), and Denise for all the help at pulling together a BC comment on the DNS abuse statistical study.

This comment process is I think a proud moment for the BC. We started with a certain kind of a tone to it. Certain BC members pulled it in a slightly different direction. It then came back a little closer to the center, and I think what we ended up with is cohesive, it makes sense, and I hope that the CCTRT can take advantage of some of the things we've pointed out when they come up with their recommendations because it's so much more important for us to affect the recommendations of CCTRT rather than just have to react to them in the public comment period. Thanks to all for helping to pull that together.

Let me skip over the GDPR letter to Göran and handle that in the GDPR section -- it's a little later in the agenda -- and jump to the currently open public comment periods. The currently open public comments have one that I want to pay particular attention to. It's number 2, which is the proposed rule of the .museum sponsored registry agreement.

We have discussed this on the past two BC calls, thinking that we would use a similar comment on this. I would say picking up on what we did for the .(moby) renewal earlier this year. That was in February. So Phil Corwin and I took a look at the .(moby) renewal. Phil suggested some excellent text, taking issue with this transition from a sponsored TLD to a community TLD using criteria that would probably never survive if it had applied as a community applicant for community status.

And that is in particular that any user of a museum is considered part of the community and can register a domain name. And it's not clear at all whether there would be any verification of who is a user. Of course it wouldn't take much to verify that I've ever used a museum. And without taking issue as to what that would do to the .museum space, we're mostly speaking to the inconsistency between community designation for new gTLD applicants and the fact the global domains division, or GDD, can negotiate completely different criteria to achieve community status for somebody like .museum.

The second element in our draft comment is to suggest that GDD should not use these renewals as an opportunity to impose policies and requirements on a registry that were not the subject of GNSO policy development. We've heard this story before that while we support the uniform rapid suspension, or URS, as a rights protection mechanism, we don't support that staff impose it in a registry negotiation because it hasn't yet been the subject of GNSO policy development.

So I've summarized the main two objections that are in the draft comment that was attached to yesterday's policy calendar. It was attachment number 2. And Phil Corwin and I will continue to refine that in the days ahead. But this comment is due on the 3rd of October. That's next Tuesday. So this is the opportunity for BC members to ask (unintelligible) Phil and I any questions with respect to the comment. So please raise your hand if you have questions, and Phil I'll turn to you if you want to add any color to what I just explained. Thank you, Phil.

Phil Corwin: Thank you, Steve. And Phil for the record. Just briefly, we're all familiar with the URS issue so I'm not going to get into that, but on this community, I think the point we want to make is -- and I'll be sending Steve a revised draft later today to be shared with BC members -- is that whatever the definition of a community gTLD is it should be consistent for whatever purpose it's being applied for.

And here there's a great inconsistency. We know that there's a very high bar to - in the CPE review process to establish a claim of being a community gTLD for application purposes because of the benefits it brings. And no one who proposed - for example if .music had proposed -- and that's still contentious -- that anyone who enjoyed music could register a domain, that would never pass CPE, but that's essentially what they've proposed for .museum.

And then you've the inconsistency that for community domains that have passed muster and the one we know about because they recently presented to council, the head of the FTLD registry, which operates .bank and .insurance, they're seeking a very modest expansion of eligible entities that can register from banks and insurance companies to bank holding companies, which are

clearly very closely related to the original purpose, that have been told that ICANN has to create a community evaluation procedure to even have that considered. But here, again, through register renewal and negotiations, they're proposing a very vast expansion in who can register .museum domains without any equivalent community evaluation process.

I think we just want to tell GDD, you know, create a consistent process for defining a community TLD no matter what context that issue arises in, and that's not what we're seeing right now. I'll stop there. Thank you very much.

Steve DelBianco: Thanks, Phil. Consistency is the key word there. Phil and I still need to go through that comment draft and perhaps pull out anything related to pricing and pull out any references that are leftovers from the .(moby) comment. And Phil and I will work on that. But meanwhile, please, members of the BC, take a look at the draft. If you have anything you want to add to the .museum comment, particularly on the point of consistency, please reply all and Phil and I will try to get into shipshape, send out a last call, probably on Sunday or Monday.

All right let me move to the next item. There are proposed changes to the Non-Commercial Users Constituency, or NCUC, charter. We don't often comment on charter changes proposed by other GNSO constituencies, but in this case, we had John Berard, Marilyn Cade, and (Tola), who came up with a brief and pointed set of comments. And Andy Abrams provided some edits that were already accepted by the drafters.

This is attachment three to the policy calendar that I circulated yesterday. This comment is closing as well on October the 3rd. It's been circulated for the BC review for the required period of time, so we'll submit it on October the 3rd

unless there are any BC members who have questions or comments on it today.

All right. Seeing none, we will proceed with submitting that comment on October the 3rd. Let me kind of turn next to the general data protection regulations in the European Commission called the GDPR and reconciling that with Whois. So if you scroll in your policy calendar to Page 2, it's at the top of Page 2 in the policy calendar.

There are two elements of this. The first is this notion of the taskforce that management, ICANN management, created to try to convince European Data Protection authorities that they should grant a public interest exemption for the use of Whois. That was sort of their going in plan.

In addition, a task force was created to document all of the legitimate uses of Whois, call them use cases or user stories, and those would presumably lead to a conclusion that legitimate uses should not require informed consent. And then maybe there ought to be a plan C in the strategy.

Denise Michel led effort that Stephanie assisted with, where we sent at the end of August a letter to ICANN's chairman and CEO suggesting a new approach and also asking for transparency about what ICANN's strategy is, Plan A, Plan B, and Plan C. Göran replied to our letter just the other day, and I've circulated it as an attachment. It's attachment number 1 to the policy calendar today.

And the letter itself says scarcely anything more than the blog post that (Akram) and (Teresa) put up about a week and a half ago and it doesn't respond to our requests for a disclosure, a discussion of ICANN's strategy and the backup plan.

I did call Becky Burr to probe this a little more deeply and what Becky said is somewhat enlightening. We honestly can't expect a public discussion of every element of the strategy of pursuing this. I pushed back a bit on that to say that it's the community that has to suggest what the successive series of steps ought to be to be sure that Whois can survive the GDPR implementation in May.

So Becky Burr, who's on the board and represents GNSO, has agreed to release and to pressure ICANN to release as much as they can about what they've been saying. To that end, ICANN had published the letters they've been sending to the EU data protection authorities. I have a link to that at the tail end of this section on GDPR and Whois. But it does not yet satisfy the BC's request of allowing someone to participate...

Okay thanks for someone who just muted whatever that was.

So turning next to the ICANN 60 panel on GDPR. We are confronted with an opportunity here because we were among those who wanted to have a high interest topic, a cross-community panel at ICANN 60 on GDPR reconciliation with Whois. It's on the calendar. It was accepted. It's on Friday the 2nd of November.

We were among the groups that asked for it. We're not the only one, but we have tried to assert a leadership role in helping to plan it. Attachment four to the policy calendar was an e-mail that I sent to ICANN staff indicating some ideas for how to structure this panel and the kind of panelists that we'd want to have.

I think that (Marie) and Barbara Warner and others have responded with other ideas for panelists. Some think we ought to have more panelists. Some believe we should have fewer panelists. I'm beginning to realize we won't have much control over that since there are multiple groups who are going to want to participate, and not anybody that I - I don't really believe we are going to be able to convince too many people who were not already planning to come to ICANN 60 to make the trip all the way to Abu Dhabi for an hour, hour and a half long panel.

So I believe we'll want to tap people that already designated to be present at ICANN 60. And the question is what do we hope to get out of this panel discussion? Judging by the BC letter that we all approved, the one we sent to management, what we seek most of all is to have the community do a bottom-up in formation to ICANN about the strategies they should pursue.

So what I'll lay out there is that we're likely to pursue a public interest exemption, if that doesn't work, a legitimate use qualification, and if that doesn't work, begin to explore the way that informed consent of the registrant is part of what they put in when they register or renew a domain name, and when they register for privacy and proxy services, there needs to be informed consent there that the privacy proxy can relay and reveal when a legitimate use has actionable harm.

So I'm happy to entertain a queue on what the BC ought to be doing in reaction to the GDPR and Whois and specifically how to structure this panel to the extent that we have influence at ICANN 60. So we'll take that queue. And Jay Sadowski put into the chat that I heard in another call that it wasn't set up by ICANN. I don't agree, Jay. The BC itself was among those three groups who asked for this panel and ICANN ranked it highly because multiple groups had asked for it.

At this point, multiple groups are jockeying for position to control the agenda, to designate the moderator and to set panelists. Natural competition will result in ICANN staff kind of refereeing the situation. I don't think any one group is going to control this panel. Let's do our best to get a panelist. We've already talked about having Susan represent us on that. Let's do our best to get a panelist.

I would love to have the opportunity to moderate but I have no idea whether that will survive. But it's going to be a large panel that's broadly representative. (Margie)?

(Margie Milam): Thanks, Steve. This is (Margie). I think one of the themes that needs to be shared on the panel is taking a look -- and this comes from the BC letter -- holistically at the Whois system and how it fits in to - in its entirety to the GDPR framework. You know, each of the approaches you've suggested are very narrow aspects of the GDPR. But for someone to lay out, you know, how Whois is in the public interest is important for security and stability of the Internet.

There's competing values and stakeholders here that need to be represented. It's putting the system in the framework of the GDPR and pointing out that we need to look at it to see how it's compatible with the GDPR as opposed to incompatible. And I think that was a good theme that was in the letter that somehow need to be shared in that panel.

Steve DelBianco: (Margie), that's precisely what ICANN is trying to do. They're saying that it is compatible and it's within the public interest and if not within the public interest exemption, it ought to be a legitimate use. So the compatibility has been their tone all along. That's not new. And with respect to the context,

broader context, a balance of values, we made that point in our letter and I don't believe it was explicitly acknowledged because it's not all clear what that would mean.

Would that mean we'd invite different panelists that would give that broader context? Does it mean that we would start with some introduction if we could influence the moderator? I guess I need more specific action items on the broader context point, whether that involves different people or different points that need to be made. Do you have anything back on that before we go to Denise? Go ahead, Denise.

Denise Michel: Thank you, Steve. Can you hear me okay. I'm on a bus.

Steve DelBianco: We do hear you.

Denise Michel: Great. Regarding your last comment, I take exception to the statement that staff is trying to advocate for a public interest exemption. We actually don't know that. We don't know what staff is advocating. We know that staff has only partial understanding of how Whois is used and what all the elements are.

We don't understand what staff conversations have been to date with privacy regulators, data regulators and in the European Union and elsewhere. We have very little information about what staff's understanding is, what their strategy is, and what their actual activities are.

And jumping back to the previous item that you raised, I don't think that the BC -- and other constituencies for that matter -- should be accepting of what amounts to a non response to a letter to the board of directors and the CEO of ICANN. I think this is an important inflection point. ICANN is either going to

be bottom up and driven by the constituencies and community of ICANN or it's going to cede the decision and authority making pretty much across the board to the CEO.

So I would suggest that the leadership of the BC and frankly the other constituencies who have also received a non-answer from the CEO on GDPR in particular, and that includes the chair of the GAC, contact Göran directly and have a pointed discussion on this.

I think the stakes are too high for so many members of the ICANN community. I feel like we need to be in greater action on this and the panel is useful to surface discussions but the real work is occurring elsewhere and we do not have a seat at the table. Thanks.

Steve DelBianco: Thank you, Denise. I put into the policy calendar and into the chat, and realize you're on a bus and can't see it, one of the several letters that staff prepared to send to the European DPAs two weeks ago. And in there lay out their strategy to try I think convince the European data protection authorities that Whois is already legitimate. Whether their argument arguments are adequate or whether the arguments are the ones we would have made, is something we can always debate, but it certainly seems as if staff has been trying to do that.

And there's not a lot of transparency. We're not seeing the internal emails. We're obviously not on the conference calls that are held between ICANN Legal and DPAs but at least we have several letters that were sent to the European governments that are participants in the EU data protection authorities. So I refer you to that link and let's see if we can come up with something on that.

Denise's second suggestion was that we pursue a discussion with Göran on the particular part of our letter that they chose not to respond to. And that part of the letter was bullet item two, which said we want to understand their strategy and backup plan by making sure that Whois stays reconciled with GDPR. They didn't answer that at all. And Becky Burr told me that a lot of that is conversations and emails that they don't want to publicly put in writing.

Well fine. Let's follow Denise's lead and have Andrew reach out to Göran and (Teresa) and (Akram) and ask for a telephone call, an undocumented, untranscribed, if it has to be, telephone call with the BC to understand how the strategy and backup. In other words, to respond to our letter on point number 2.

We can attempt to do that, Andrew, by having you do an e-mail back to Göran and the team indicating that we appreciated their response but we would look forward to a conversation, a phone call immediately to discuss the non-responded aspects of our letter. How does that sound to folks?

Denise, I am trying to take advantage of the fact that we wrote the letter, we did not get anybody else to support the letter, but we wrote the letter. They responded and this is a great opportunity for us to ask them for a phone call, and we'd invite the entire BC to be on the call with Göran. I have a feeling he would take that bait.

Andrew Mack?

Andrew Mack: Steve, yes. Thanks. And, Denise, thanks for you comments. I think everybody agreed that this is a big issue. I like the idea of offering him the chance to speak with us, if you think he'll take it. My question is can we get close to something that we would consider to be a successful outcome from that call?

Because the only concern that I would have is that if he is kind and diplomatic and says I hear you and still does not - still is not necessarily willing to share or doesn't yet have a clear sense of what Plan B is. I'd love to know what everybody's thoughts on what success looks like for that call. Thank you.

Steve DelBianco: Andrew, we'll turn to Susan next but keep this in the mind. The point of the letter that I asked you to have the call about was we asked him, and I put this in the chat, we asked them to explain their goals and the specific strategy and describe any backup plans. So the outcome of the call is to get an answer to those questions. That doesn't mean the outcome of the call is that we solved the GDPR problems. The outcome is for the staff to openly discuss the strategy and backup plan that they're pursuing. That's about as far as it goes.

And Susan, we'll turn to you next, but I did want to indicate that Andrew has forwarded to everyone an invitation to a webinar next week on GDPR and Whois. So I would encourage all BC members who have any interest in this topic to get on to that call. It doesn't look, Andrew, as if there's an RSVP required. You can simply log in to the Adobe and get into the webinar. Go ahead, Susan.

Susan Kawaguchi: Thanks, Steve. Susan Kawaguchi for the record. I would like - one of the questions I would ask, and I'm not sure this was approached in the part - a point in the letter, but was what has the interaction been with the contracted parties. Because I'm getting the feeling from other things from the RDS working group and the - and a little bit on the RDS review team that there is interaction there, and it could just be my paranoia but I would like, you know, to see if we could get him to answer that question.

The other point I wanted to reinforce was -- and I don't know what e-mail thread it was on -- but there was an e-mail thread concerning this topic and,

you know, in the BC. So it may have been the one that you started, Steve. But. And I think maybe Denise made this point was that this is starting to feel like the IANA transition when we were all told okay this is how it's going to work and we are choosing, you know, ICANN staff we will choose this and do that, and the whole community came together and said, "No, this is a community process. Stop, back up, and let's have transparency and participation."

So I don't know that we could get the registrars and registries to join with us but if we could at least get the CSG to start with to join with, so maybe adding them to the call would be a good idea.

Steve DelBianco: Yes. Keep in mind the time it would take us to organize a call, it is far more likely that we all ought to be on the October 4 call. I put the coordinates into the chat, and Andrew Mack circulated that e-mail earlier this morning. So all of us should be on that call. And since it's a webinar, I don't really know for sure whether it will be open to voice interventions but we certainly can put questions in advance such as why haven't answered our question about strategy and backup.

You can be confident there will be some contract parties on that call on October the 4th. If we come out of the October 4th call with still receiving no answers, I believe we should pursue a private call immediately after that. Any further thoughts on this?

Okay. Susan, are you able to join the October 4 call with your schedule?

Susan Kawaguchi: Yes. I'll be in Brussels for the review team meeting but I'll take the time. Well the review team meeting will be over by that point so yes I will be on this one.

Steve DelBianco: Denise, it would be excellent if you could be on that call as well. All right.

Turning to the next item, it's contractual compliance and consumer safeguards. As you've discussed on our last call, they have a new director of consumer safeguards. It's (Brian Schilling), and he's trying to explore consumer safeguards in a broader sense.

He's going to present at ICANN 60 on existing safeguards with ICANN's contracts and bylaws. I was unable to attend his 25th of September webinar. Any members of the BC - were any members of the BC able to attend (Brian)'s webinar? It doesn't look like it so...

(Barbara): Yes, Steve, this is (Barbara). I was on the webinar. I'm sorry I'm sort of fumbling here with the chat. I would say that (Brian) walked us through a PowerPoint. I'm happy to provide people with links to the compliance - his website. He said he would post his slides on the webpage. I haven't found it yet. But my big take away from that is (Brian) kept underscoring that his personal role was it didn't have to do with enforcement. It mainly had to do with considering issues surrounding compliance. And as I'm scrambling here of course I can't find my notes from that call, my raw notes from that call. But I'm happy to jot down a few of those raw notes and forward it to the BC private list.

Steve DelBianco: That's a great idea, (Barbara), thank you. Please do that. It would be much appreciated. It's particular, did he address the GACs within ICANN's capabilities to address abuse. And I have a feeling when they talk about GACs have to say happy to say go to the SEC or to somebody else.

(Barbara): Oh, here we are.

Steve DelBianco: Go ahead, (Barbara).

(Barbara): Okay, no, I found my notes, good news. No, it was really, I mean, is you can imagine it was heavily attended. I think I was the only BC person on the call. Very heavily attended by the members of the ICANN community and IP advocates in the NCUC. But there was considerable discussion about the domain abuse activity reporting system, audit process to ensure all aspects of the agreement are being implemented. Okay.

Steve DelBianco: Don't attempt to escape...

(Barbara): Yes, I'm sorry, yes, there was no discussion of GACs. Again, going back to (Brian)'s point, I'm reading from my notes. Consumer safeguards, that enforcement opposed, really just to facilitate discussion of the community concerns regarding the DNS and conduct research. To - for fact-based policymaking to answer and address questions from the community about compliance issues. Those are from my notes. And that's about all I have that maybe has helped folks on today's call.

Steve DelBianco: Thank you, (Barbara). It strikes me that this office is not going to be very muscular or capable of making a difference. It strikes me as maybe it's a little window dressing as opposed to action. Okay, thank you.

So let's move on to the next item which is counsel Channel 2. So (Barbara) - sorry, Susan and Phil, what I put into the policy calendar was the resolutions that you approved on counsel on 20 September and I don't have any agendas for the upcoming Council meeting that hasn't been published yet. I'll turn it over to you Susan and Phil.

Susan Kawaguchi: On my part nothing more to report than what you have laid out here in the - in policy calendar. Phil, is there something question mark

Phil Corwin: Well, just quickly, thanks, Susan. We had a robust discussion counsel on the data requests with - and there was some slight amendment of the motion to make sure that depending on what resources - financial resources we get from ICANN for professional survey assistance that will focus on those areas which are most promising for delivering useful data, so we were - we are the test working group for this new database to policy development.

And the other thing I wanted to mention this not on your list, Steve, is that we have going - well, we don't have an agenda for Abu Dhabi, we do know that there's going to be that (Chance Lidell) was stepping down, stirring limit, no longer the chair. We have a nomination process where the houses are required to submit their nominees by October 2, which is just days away. And right now the only nominee for the non-contracted party house is Heather Forrest from the IPC, the current vice chair. So I don't know if there's been any CSG discussions on this. I certainly have no problem backing Heather, but more importantly I don't know if there's been any communications between the CSG and the MCSC to ascertain whether she will have their backing. Or whether we'll have another unpleasant episode as we had two years ago when they did not support the NCPH nominee and the NCPH defeated (James) for at least a month by voting to abstain because of the consternation over that situation. So I'll stop there, but I just want to - that's a pretty important issue that the chair counsel going forward after Abu Dhabi.

Steve DelBianco: Phil, it's Steve, I would ask you and Susan, since you work with Heather and have for years whether you personally believe that she deserves the support of the business constituency. Before we even get to the CSG part, Do you and Susan believe that Heather is a good candidate?

Phil Corwin: Steve, I do. I think she's done a good job as vice chair. I've worked with her in other context. She's always knowledgeable and prepared and she has a very non confrontational way of engaging with other members of the community, even when their views differ. So you know, no candidate is perfect, but I have no hesitancy personally to backing her as the NCPH candidate.

Steve DelBianco: Susan?

Susan Kawaguchi: And I would absolutely agree. I think she does a good job of reaching out to the other side of the non-contracted party house and so, yes. And she's also paid her dues. She's been vice chair for two years.

Steve DelBianco: Thank you, Susan and Phil, if there's no objection from BC members, we'd want to empower counselors and (Barbara) is our liaison to the CSG, we'd want to empower them to endorse Heather. Unless there any objections to the BC members. And I'm about to turn to (Barbara) on CSG but I did want to remind all of you that when were discussing how to replace (Marcus Kumar), Heather's name came up and it was an extensive discussion at a BSC meeting in the CSG meeting in Copenhagen and it didn't look like it was going to happen at that time. Instead the BC and CSG deferred to allow ((Matthew) Shears) to replace (Marcus Kumar) and (Matthew) shares was the non-contracted party house, noncommercial stakeholders group person. At that time it was an expectation, a hope that the CSG would get some deference for our candidate on chair of the GNSo. So that situation, that has come home to roost now. And so, I believe at least there was an expectation that the noncommercial stakeholders group would endorse our candidate given that we endorse their candidate for the ICANN board. (Barbara)?

(Barbara): Thanks, Steve, I was just going to say on this issue of Heather's candidacy, we have a B - excuse me a CSG XCOM call schedule for next week. So I am

happy to convey the BC support for Heather in those discussions, if that's what I'm getting from our discussion today, correct?

Steve DelBianco: Yes, (Barbara), that's exactly what you should convey.

(Barbara): Okay, all right, thank you.

Steve DelBianco: (Barbara), let me ask you and anyone else who was present at the Copenhagen meeting, how much of an expectation should we have that the NCSG should support the CSC candidate because we supported their candidate for the board? Anybody want to comment on that? I could be just misremembering the discussions when (Zahid) came in and we had Heather speak to the entire CSG.

Phil Corwin: Steve, Phil here. Yes, I don't remember the exact conversation, but I don't recall your any iron clad commitment on the NCSG's part to do that. And the other factor here is that one former counselor for the MCSG has left since then, (Ed Mares), and they have a number of other new people coming on board will be the actual people voting on this nomination in Abu Dhabi. So, there'll be a number of new players who weren't involved in those Copenhagen discussions.

Steve DelBianco: Good point, Phil. And I've never heard people use the term ironclad commitment and NCSG in the same sentence before. So you're right, this is going to be difficult, but I would encourage you in those meetings, (Barbara), Susan, and Phil to try and reiterate the point that we supported the NCSC candidate for board women at the time when Heather was interested to step back and this is our opportunity and their opportunity to be team players. (Barbara), your hand is still up.

(Barbara): Yes, I'm sorry. And I will lower it, but I think in the spirit - in that spirit the NCSC did agree to a process for a selection of the vice chair which just bought a mining it respects this desire to rotate that vice chair position between the two sides of the house. So that I think we could certainly say that in the spirit of that agreement that we worked out to select the vice chair, you know, we sincerely hope that they sort of respect that process in terms of Heather's candidacy. Just a thought.

Steve DelBianco: Yes, good thought, (Barbara). And when you have that XCOM call with your CSG, let us know how we can be helpful in that. You definitely have an endorsement of Heather coming out of this call.

(Barbara): Great.

Steve DelBianco: (Barbara), keep the microphone because your next on Channel 3 and the policy calendar. (Barbara), I have pasted into the policy calendar the update in red text, it's the updated text, everybody's looking at it now in red. This is text you sent around yesterday and all five of your attachments were so with the policy calendar so feel free to reference any of those.

(Barbara): Great. Okay, I think you folks - as Steve said, you've got all these attachments. I included just a calendar of the CSG group meeting see you have a sense for how we're scheduled. I think just in a nutshell the 31 October, which is Tuesday, will just be a very intensely busy day for all of us. Will start the day at 9 o'clock with our BC close meeting and then basically it's sort of pedal so the metal CSC NBC open meetings the whole rest of the day. But I'd really like to move it to these questions because some of them are quite time sensitive.

My question for discussion as you'll note, the CSG, it's on Saturday, it's in a God-awful hour 8:30 to 9:00, but that was the only time that could be slotted for the CSG to sit down with (Becky), (Marcus). And I don't know if (Matthew) will be present. I recognize and respect the point that Marilyn made about him not being formally seated until later in the week. But in any event it will be at least with (Becky) and (Marcus) and how we want to use those 30 minutes. (Marylin) volunteered to draft sort of a thank you to (Marcus) expressing her appreciation for his service on the board. The people are agreeable I can formally get back in touch with met (Marylin) via email so we have a formal email record of the BC's request to her for first draft extending our thanks to (Marcus). How do people feel about that?

Steve DelBianco: No objection.

(Barbara): Okay, any other ideas about how we want to use that precious 30 minutes? I will take that to the CSG XCOM call next week, aside from us extending our thanks to (Marcus). Okay we'll see what...

Steve DelBianco: (Barbara), it's Steve, I will try to do a high-level discussion on the inevitable momentum towards the next round, opening the next round of GTLDs verses the necessity to complete the reviews, the policy development to support that. Let's just trying to understand the balance of powers and pressures that are at work there. I think that would be a worthy discussion point to consider, thank you.

(Barbara): Okay. All right, and then the next item - question that I'm grateful for your feedback on and this is a very time sensitive deadline is we have 30 minutes with the ICANN board as part of the CSG's allotment with them on 31 October between 1:30 and 3:00. What issue - and I learned this morning on an SOAC planning call for ICANN 60 that the board wants two questions from

us that they, you know, they can prepare to address. So my question to the BC is what issues or questions do you want us to focus on in that 30 minutes with the board, what do you want our asks to be, what would you consider to be a successful conversation with that board? Happy to consider people's ideas now if possible because I have to send this in on the 29th.

Steve DelBianco: Be sure and send it - got it - be sure and send an email then right after today's call requesting feedback on questions and I'm sure Denise, whose hand is up, might even have one right now. Go ahead, Denise.

(Barbara): Okay.

Denise Michel: Sure, I would suggest that we discuss GDPR and work out among ourselves which point we want to emphasize. In addition to that and related to that I would suggest that our second topic be a - the pattern and practice of staff, I guess, we could call it nonresponse or lack of coordination and follow through on various issues. I think for that we can probably take the last several BC submissions to public comments or letters to (Goren) and talk about, you know, in a positive way, how we would like greater staff communication, responsiveness and coordination not only GDPR, but a number of other issues. And then while I've got the mic, I would just jump back to those other topics that you raise. And ideas like to throw out there is for the CSG instead of meeting with (Becky), (Marcus) and (Matthew), to use that time to meet with incoming new board members, introduce them to the CSG constituencies, what we're about, what are key issues are that would be in addition to (Matthew) would be (Aubrey), (Sarah) in (Leon) that (unintelligible), thanks.

(Barbara): Okay.

Steve DelBianco: Thank you, Denise.

(Barbara): Yes, thank you, Denise. I will have to work with (Andrea) in terms of scheduling that. I think this is on (Becky) and (Marcus)'s calendar, so I guess what I'm saying is that we want to scrap this - the BC - because the CSG would not may not agree to this. They may want to keep this even though it's only 30 minutes, this meeting with (Becky) and (Marcus), so would you like me to again preserve to see if there's another opportunity for 30 - 45 minutes with (Aubrey), (Sarah), (Leon) and (Matthew) later in the week?

Denise Michel: This trip I - no I was suggesting that instead of meeting with (Becky) and (Marcus) that we instead meet with the incoming board members. I am suggesting that's a better use of our time. Thanks.

(Becky): Okay, I'll raise that at the CSG meeting and see what the reaction is. And then we'll proceed from there. If they - if the other two constituencies agree, then, you know, will have (Andrea) work with us, (Andrea) and (Chantelle) work with us if she still available, work with us in terms of politely declining, although having said that I know (Marylin) was quite keen to use at 30 minutes to think (Marcus). So, will discuss it...

Steve DelBianco: (Barbara) if we think...

(Barbara): kept yes?

Man: Right, I think (Marcus), that's not a 30 minute thank you. I hope that's a three minute thank you, to be honest.

(Barbara): Okay.

Steve DelBianco: Let's not get carried away.

(Barbara): All right, okay.

Steve DelBianco: We didn't even reelect him. And then Denise brought up this point about staff non-response or non-solicitation of bottom-up. Let's please add to that. The two point still and empathize from the dot museum is a GDD staff and to particulars being inconsistent and unilateral. When I negotiates registry agreement renewals. And in particular the dot museum example of the designation of a community GLD and the imposition of RDS RPMs. And that could be all part of the same theme. Anyone else in the queue?

(Barbara): Okay, Steve, you know, so that would be part of the theme on how to increase staff contact and responsiveness. I think see that under...

Steve DelBianco: I think so, (Barbara). Yes., Okay, perhaps trade is a third, maybe the third because six focused exclusively on GDD staff, so maybe so.

(Barbara): Okay.

Steve DelBianco: Go ahead, (Barbara).

(Barbara): Okay, this gets to a topic that we just discussed. For - just for our BC meeting I just want to get clarity from the BC. We have a slot open. Do we want to invite (Brian Schilling) or - and or (Jamie) as a follow-up to this webinar that I talked about on Monday and on consumer safeguards and contractual compliance and we can comfort press him for further detail on how GACs are addressed and how this research that will inform policymaking is of value to us. Do we want - so do we want to meeting with (Brian Schilling) or do we

want another meeting with (David Conrad) on the opening data initiative? I don't think we have a time for both.

Steve DelBianco: I would vote for (Brian).

(Barbara): Okay.

Steve DelBianco: And (Margie Milam) has her hand up. Go ahead, (Margie).

(Margie Milam): Yes, this is (Margie). The other thing that we might want to do is perhaps invite (Cyrus) and (Yuri) to talk about hearing - the relationship that they have with the non-contracted parties. And one of the concerns I have is that there's this whatever special - an offer on special relationship, that offer on (Cyrus) and the executive over at ICANN have with the contracted parties, yet we don't get the same attention or even, you know, discussions or avenues of follow-up. We're always the afterthought, if you will, the business side or the commercial side. And so, I think, you know, bringing them, (Akrum), (Cyrus), really did exist on the GDD side and all (Laura) on hidden provide overall direction and raising the issue and putting them on the spot I think would be helpful from the business perspective.

(Barbara): Okay, just to let you know, I'm sort of jumping ahead here, but (Yuri) will be - has been invited to participate in our open CSG meeting on the 31st at which point we could rate this with him. But I can also explore having (Akrum) and/or (Cyrus) adjust RBC open meeting. To allow further discussion of this topic. How does that sound?

(Margie Milam): Yes, I think that actually would be very helpful.

(Barbara): Okay, end to end, so great. So I will see if I can get appointments with (Akrum) and (Cyrus) is well as with (Brian Schilling), correct? Guys? Okay, so, all right, okay. I will draft - you know what I will do in terms of these questions to the board, I will draft what I've scribbled here, run it by the BC private and you all can revise it, amend it accordingly before I send it over to the board folks tomorrow. So this is a real fast turnaround.

Quickly, the intercessional update. We can rip through this very quickly. It has been confirmed for the 1st and 2nd of February in LA, it will likely be held at the Doubletree Hotel. It looks like we will be having meetings with the board and senior ICANN staff on 1 February. There will be a reception - a cocktail perception on the first that will enable participation by the board. And the reason for that is the board has also scheduled special meetings around that time. So every effort will be made to get those - all those high-level meetings with the non-contractor party house arranged on the 1 February. In terms of agenda topics and there was a lot of discussion about this yesterday and I know Andrew and Steve are both on this call, so I welcome you to jump in. But I'm just going to read through the topics that are under discussion that ICANN staff is going to focus more time on fleshing out.

First an assessment subsequent new detailed he is and then national - excuse me, non-contracted party house budget working groups. This was a proposal of (Jensen), do we want to take that forward? Will discuss that. Again, this issue reconciling who is in the GDP are in looking at (unintelligible), who has complied with the duty PR. The GACs relationship overall and upcoming events in Panama. Coordination of outreach and recruiting best practices, I believe Steve suggested this. Six would be, again, we talked about this in February is shaping the 2019 GNSO organizational review and finally - and Steve raised this topic earlier - this whole issue of the selection of Forward Speak 14, the process and if we can I think it's something that's a little more

formal rather than this gentlemen's agreement that the NCSG is less enthusiastic about following through on.

So it looks like those are the topics that were thrown out to be considered for discussion in February. There was also some discussion on the chat about intercessional follow-through that we have these intercessional meetings and we seem to end with the feel-good feeling. But then there's sort of further action, implementation sort of falls short after we leave. So that's kind of a thing stand on intercessional planning. Happy to take any questions.

Andrew Mack: (Barbara), this is Andrew. Thank you very much. I know that we're a little bit pressed for time, it very busy calendar. If anybody - if no one has any other comments, I know (Jensen) is not here on the call, so I think we're going to wait on our finance and operations reports. (Jensen), are you here? No, didn't believe he was.

Okay, really quickly two things if I might. The first of all is that I will be - and there maybe others who are on the call this afternoon listening in for WorkStream 2 about human rights. We know that this is an important issue. There's been a lot of toing and froing about it in a little bit of controversy, some differences of opinion, trying to work out something that will work for all. And so we'll keep you apprised of that.

The second thing is that we had a very good remote meeting that ICANN remotely (Nevaldo) and (Mark) arranged with ICANN in Rio de Janeiro earlier this week, reaching out to new potential business members alongside ICANN. Then I wanted to complement (Mark) and (Nevaldo) for the work that they did. And we have the potential of another one, Brazil is a very big important market for us where we do not have a lot of representation and we

know that we got a lot going forward in Latin America. So, (Mark), if you wanted to spend a minute talking about that, that would be great.

(Mark): (Unintelligible).

Andrew Mack: (Mark), I'm sorry that line is not very good, so let me just say to everyone who is here, I know we're trying to get off the line. It was a very interesting event, there were a lot of people from very different parts of the Brazilian tech sector who were - who we believe to be potential BC members, we did this in conjunction with ICANN and we managed to leverage ICANN financing so the sum total of the cost was zero to the BC and we hope this is something that we will continue to do in future in collaboration, especially with the ICANN Latin American leadership. And that's all I have on those two points.

Does anyone have a quick item that they would like to throw in for any additional business? Okay. I'm not seeing anyone, so let's all agree we'll be back in touch with you about some of these outstanding issues and take it to the list. Thank you to (Nevaldo) and to (Mark) and to other members of the outreach committee for their hard work on getting our word out and will speak with you all soon.

Coordinator: Thank you once again, the meeting has adjourned, (Angelica), if you can please stop all the recordings. To everyone else please remember to disconnect all remaining lines and have a wonderful rest of your day.

END