

ICANN

**Moderator: Gisella Gruber-White
March 13, 2014
10:00 am CT**

Coordinator: Please go ahead, this afternoon's conference call is now being recorded.

Nathalie Peregrine: Thank you ever so much, (Tim). Good morning, good afternoon, good evening everybody. This is the BC call on the 13th of March, 2014.

On the call today we have Elisa Cooper, Jim Baskin, Andy Abrams, Angie Graves, Jimson Olufuye, Richard Friedman, Stephanie Duchesneau and Steve DelBianco.

We have apologies from Ron Andruff and John Berard. And from staff we have myself, Nathalie Peregrine.

I'd like to remind you all to please state your names before speaking for transcription purposes. Thank you very much and over to you, Elisa.

Elisa Cooper: Thank you, Nathalie. Well thank you to everyone for joining today's call. We met just last week and we spent a fair amount of time last week talking about the agenda for Singapore. And I did receive some feedback from folks in terms of which issues are of greatest importance to you.

And I want to review with you, again, sort of where we're at with our agendas. We're pretty close to near final I think with the topics that we're scheduled to discuss. But I want to go through those briefly with you.

Then we'll turn it over to Marilyn for an update in terms of what's going on with the CSG and in particular would be good to hear about where we're at the Board election so, Marilyn, if you can share any information or your thoughts on that because there is a post up at the ICANN Board and there is to be an election in the Non Contracted Parties House.

We seem to be, in my opinion, a little bit at a standstill in terms of how we move forward with the Non Contracted Parties House in terms of having an election to elect or reelect Bill Graham. So it'll be good to hear from Marilyn on that.

Then we don't need to do a full, you know, policy review. Steve has done a tremendous amount of work and he has, you know, in the process of assigning and getting people - there are a number of comments that are sort of out there that we're going to try to be responding to. But Steve's going to kind of go through those and provide an update in terms of who's responding on what and anything else we need to know.

And then hopefully Gabby will be joining the call to give us an update in terms of what's going on at the Council. As Nathalie mentioned John Berard is not on the call today but hopefully Gabby will be joining the call later because this is actually our pre-Council call.

Are there any other topics or issues or things that people would like to review or discuss today?

Marilyn Cade: Elisa, it's Marilyn. With your permission I'd like to propose another topic if that's okay with you? Can I...

Elisa Cooper: Sure, yeah. What is it?

Marilyn Cade: I'm sorry, it's okay if I raise a point or you want me to...

Elisa Cooper: Yeah, what is the topic? It is fine to raise another topic, I'm just curious what the topic is.

Marilyn Cade: I'd like to offer an update on what's going on on 1net and NETmundial if that would be acceptable to you as the chair?

Elisa Cooper: Yeah, that would be great. Why don't we hold that until the end? I think we'll have plenty of time so if that works for you can we do that?

Marilyn Cade: I think that's fine. I'm seeing that people - members are - we're going to be transcribed of course but I see we have a challenge for many members on their attendance. So maybe we will just also make this more of an informative update since many members are not able to be on this call.

Elisa Cooper: Okay sounds good. Okay so are there any other topics or items that people would like to add or discuss today?

Steve DelBianco: I got my hand up there, Elisa. One topic would be...

Elisa Cooper: Oh I'm sorry, Steve.

Steve DelBianco: No problem. In the discussion that Marilyn will lead on the elections since it's about Bill Graham I would really benefit from some information about how that call with Bill went last week. I'm sorry that I wasn't able to make it.

Elisa Cooper: Yeah, I agree. So hopefully when Marilyn, you do your update during your CSG portion, as I also was unable to make that call if you could give your perspectives on that call?

I'll tell you that I did reach out to Bill to ask him if we could disseminate a transcript from that call. And he is - we're viewing the transcript now and I haven't heard back from him yet.

Marilyn Cade: I'm happy to comment on our normal procedures. Chair, when - but, you know, maybe you just - could just lay out, you know, what the - when you want me to comment on that?

Elisa Cooper: During the CSG update. I think that would make the most sense.

Marilyn Cade: Okay.

Elisa Cooper: Okay so let's take a quick look at where we're at with the agendas for Singapore. I've highlighted, based on the responses that I received from members in terms of which topics were of greatest interest to them I've sort of rank-ordered them and the number of asterisks indicates the level of interest.

There was a greatest interest in name collision, globalization and new gTLD outstanding issues. A couple of folks had interest in Internet governance activities and CEO and Board accountability. So, I mean, we kind of - there was, you know, a little interest in the budget. But we can definitely spend the

bulk of our time on those items that are appearing towards the top of the list when we meet with Bruce and Bill.

And we're going to be meeting with them, just as a reminder, a half hour earlier than we normally meet. We'll be meeting with them at 7:30 because Bruce has to leave actually, I think he said, by 8:30.

Moving on the BC Executive Committee will be planning to meet by ourselves on the Sunday, noon to 1:00. Hopefully we can figure out a place to grab a quick lunch. But then we'll be moving in to Sunday evening CSG meeting.

And, again, you can see the items that were of greatest interest to members highlighted with asterisks. I've sent this list over to the CSG so they know which topics are of greatest interest to us. I'm hoping that their interests coincide with ours so we can spend the bulk of our time on those issues. But we'll wait to hear back from them.

Then on Monday we'll be meeting during the lunch hour to have our closed meeting where we can discuss very openly topics around globalization. We can discuss in our closed session any Internet governance or NETmundial updates and it sounds like Marilyn is going to be able to give us a bit of an update on today's call as well.

And then there was also a topic that we added since we last spoke that Jimson wanted to cover.

Then obviously Tuesday is our big day where we'll be meeting with the GAC in the morning from 8:00 to 9:15, that's my understanding. These are the topics that we had proposed. So we're pretty set there. Then we move into our

open CSG meeting. This is an opportunity where we'll also have some time to actually meet with the SSAC but really we'll be able to finalize our preparations for our Board discussion. Then we'll move into the Board discussion between 11:15 and 12:15. And then after that we go into our BC meeting.

I just wanted to point out that a number of us agreed to sort of take leadership in going through the strategy panel recommendations. So I'm going to be covering technology and the technical innovations section of the strategy panel recommendations. Angie, Steve and Aparna are going to be covering ICANN's role in the ecosystem. Jimson graciously agreed to cover the public responsibility framework recommendations. And Andy, Chris and Gabby will be covering the multistakeholder innovation section.

Marilyn Cade: And I'm sorry, it's Marilyn. I think I offered to join one of those but it didn't seem to get captured so maybe Steve, who was capturing those, could just add my name in.

Steve DelBianco: Yeah, Marilyn, I didn't get your name on those four. I did get your name on (unintelligible). Which of those four did you want to work on? It's probably Internet governance ecosystem?

Marilyn Cade: Yes, that was the one I offered to comment on, Steve.

Steve DelBianco: Great. Thank you.

Elisa Cooper: Okay so, Marilyn, I will definitely get your name added to Angie, Steve and Aparna to be covering ICANN's role in the ecosystem - Internet ecosystem.

Marilyn Cade: Thanks.

Elisa Cooper: Then we'll be moving into discussion around new gTLD issues that are still facing businesses. I know that there are a lot of issues with the premium lists, with these pre-registrations that some of the registries are offering which I'm not sure how that fits into the way things are supposed to work between the registries and registrars and the registrants.

Not all the sunrise announcements are showing up on the trademark clearinghouse site. So I think there are a number of open issues which we should discuss and highlight and then figure out a way forward how we raise those issues.

Then Aparna and Phil are going to lead a little bit of a review of where we're at. And, Marilyn, if you also want to contribute because you're a part of the CCWG between 3:30 and 4:00. And then we're going to have Chris Mondini come in just for 15 minutes to speak - I'm sorry, for us to speak with him about what we think should happen in terms of how ICANN should be improving outreach.

I will also mention that there is a session - and I sent an invitation to members - that Chris Mondini is holding on Friday around outreach. And so if any of you are still around on Friday and are able to attend that session and have thoughts on how outreach should be improved I would encourage you to attend that session.

And then on Tuesday evening at 5 o'clock there's been some discussion amongst other members in the Non Contracted Parties House that we meet informally for drinks. And what it seems like it's shaping up to be is that the ombudsman hosts a drink - or a cocktail hour. And what it's seeming like would be a good idea is if we all sort of met up during the ombudsman

cocktail hour with our Non Contracted Parties housemates and, you know, we met with them in an informal casual setting.

And for the last couple of meetings Yahoo! has very graciously hosted cocktail receptions. And so this is kind of a way to continue that and to sort of meet up with them a little bit more informally.

And then...

Marilyn Cade: Sorry.

Elisa Cooper: Yes, Marilyn.

Marilyn Cade: Sorry. I just wanted to - could we park that and come back to we need some other opportunities on the election, which I'll be talking about. And so could we just park the decision on that? It could be the right thing. I'm not saying it's not but when we go, Elisa, if it's okay with you when we go through this other set of agenda items maybe we could figure out when to advantage the BC.

Elisa Cooper: Okay. And then finally we have, on Wednesday, our - another session. It's a closed session where we typically are meeting to prepare for the public comment forum. And we did decide that we would take a brief meeting with the Nominating Committee. So we'll first meet for 15 minutes with the Nominating Committee, which still leaves us plenty of time. We never take the entire hour and a half to prepare for the public forum.

So that is what the agenda is looking like. If there are things that folks feel are really missing or we need to get on to the agenda please let me know. But I think we're pretty close to final.

Any comments, questions, thoughts, about the agenda or what we're covering or what's happening when at the meeting?

Marilyn Cade: It's Marilyn. I'd like to ask us to go through the topics for the Board meeting and then come back to what might adjust anything on our agenda - it might adjust or might not adjust. But if we could go through some of the priority issues for messaging to the Board that might actually influence our planning.

Elisa Cooper: Yeah. So the plan is that on the Sunday meeting with the CSG this will be the time for us to really prepare for our Board discussions. And we've already identified these topics. You can see - I don't think you're in the Adobe Connect.

But there are a number of topics which include, rank ordered by BC member interest, Internet governance, name collisions, outstanding new gTLD issues, ICANN globalization, CEO and Board accountability, Board feedback mechanisms, impact to ICANN from Internet governance activities, budget, ATRT, strategy panel recommendations.

These are the issues that we will be discussing with the full CSG as priority issues. And we will need to discuss with the CSG specifically which of these topics we will take to the Board. So I don't, you know, we've already done our work and I did get your priority rankings for these, Marilyn. But I think now we take this to our discussion on the Sunday evening and we refine and determine which topics we'll be taking and who will be presenting those to the Board.

Marilyn Cade: Right, right, right. I totally support that. I was just suggesting that when we go through this discussion now we may hear some particular concerns from

members own that the Board priorities will be. Okay, can be. That was my only point.

Elisa Cooper: Okay. Any thoughts, questions, comments on the agenda, on the topics? Anything at all before we move on? And we have, like I said, I think we have plenty of time today.

Jimson Olufuye: Hello, Elisa?

Elisa Cooper: Yes, Jimson.

Jimson Olufuye: Just thinking perhaps of Sunday meeting and...

Elisa Cooper: Can you - I'm sorry, Jimson, can you speak up? I'm having a - you're very, very, very faint.

Jimson Olufuye: Oh okay. Can you hear me better now?

Elisa Cooper: Yes, much better.

Jimson Olufuye: Okay. Great. So I was thinking about the BC meeting of Sunday so - maybe we can focus that...

((Crosstalk))

Elisa Cooper: Jimson?

((Crosstalk))

Elisa Cooper: Yeah, Jimson, you completely cut out. I didn't hear any of that.

Angie Graves: And we're still not hearing anything.

Elisa Cooper: Jimson, would it be possible for you to type into the chat and then I can read it for the recording and the transcript?

Jimson Olufuye: Okay.

Elisa Cooper: I apologize.

Marilyn Cade: I think we're actually able to hear Jimson now, aren't we?

Elisa Cooper: Jimson, can you go ahead and talk? I'm sorry, try it again.

Jimson Olufuye: Okay. Can you hear me now?

Elisa Cooper: Yeah, I can hear you now.

((Crosstalk))

Elisa Cooper: I can hear you.

Jimson Olufuye: Yes, I was proposing that we have agenda topic for BC meeting on Sunday - agenda topic for BC meeting on Sunday just (unintelligible) meetings. Did you hear me?

Elisa Cooper: Yeah, so you're proposing - oh, oh...

((Crosstalk))

Elisa Cooper: ...agenda for our...

Jimson Olufuye: ...noon.

Elisa Cooper: Oh, oh sure, yes, yes.

Jimson Olufuye: Yes.

((Crosstalk))

Elisa Cooper: Yes, yes, yes. Okay. If - yeah, if you want to propose something and send something to the ExComm that would be great.

Jimson Olufuye: Okay, I'll do that.

Elisa Cooper: Okay. Thank you so much. Sorry for all of that confusion there. Any other thoughts, topics, questions, concerns before we move on? Okay why don't we move on to Marilyn? And if you can give an update in terms of any activities at the CSG in particular, I think we're all interested to hear about the election of this Board seat.

Marilyn Cade: So let me very quickly cover the Cross Constituency breakfast on Tuesday morning with the GAC which is something that I coordinate. And the community is already on board. I just want to pass on I received a very positive feedback about the breakfast almost to the point of asking if we couldn't just make this a permanent standing breakfast.

And I just want to mention this to you guys will - I'll raise it in the CSG but it was actually - I thought that was a very welcomed feedback. We're confirmed for 8:00 to 9:15. Many have to leave around 9:10. But we always get very

good turnout. And I thought it was particularly interesting that this feedback came not from the chair but from members of the GAC who said that they thought this was one of the most important exchanges that they had.

So let me go on to the election. The election of the Board member - there are two Board members; one elected by the Contracted Party House, one by the Non Contracted Party House. In this case we have put forward the discussion from the CSG to the present Board member, that's Bill Graham.

We did hold a call. There was a transcript. We have to check with the - with Bill. Normally this transcript is never made public. It is only made - it's only shared with the membership of the constituency. So I think we could - we can go back to Bill and ask him if it's - verify that the transcript would be made available to the three constituencies but privately and not for public distribution.

I will just say on the call we had Wolf-Ulrich and we had myself and Kristina, Steve, Bill. The - he was very candid with us about the - we asked a number of very tough questions. He was very candid.

We asked why the Board is not reining the CEO in. And we received I think some very useful information about what the Board thinks their parameters are and what the community may want to stress in terms of their views about what the parameters of flexibility are for the staff and the CEO.

We also asked if he was in touch with the other half of the house. And I can tell you that I've been in touch with the other half of the house and there's a split in the other half of the house. There's perhaps not as much welcoming to engagement with both Bruce and Bill as has come forward from our CSG members.

We hold regular meetings with Bill. We did ask him in the call to assume more responsibility for if he were to be reelected, assume responsibility for monthly to 6-week engagements with Bruce and dialogue with us. And that was welcomed by Bill.

The other half of the house is thinking about putting forward - and this was not from Bill but from my engagement with them - there's other candidates that the other half of the house is thinking about putting forward. And there are at least two. Neither one of those have been approached to the CSG.

We did ask to - myself and another member of the CSG leadership asked to have a conversation with the other half of the house. And we have no commitment to that. They have only agreed to a meeting with Bill post Singapore on the Friday.

And this is not a good message. I think we need to be within the CSG taking this issue up. Typically Metalitz and I put forward a draft mechanism. I've seen a posting from Mikey O'Connor - I did follow up with him - suggesting there is no process or mechanism - which is actually not quite factual. So Crocker - sorry, Metalitz and I will come back to the BC and others proposing what the last mechanism was and asking if that's still supported by the CSG community.

I haven't seen another candidate other than Bill. I think when you read Bill's comments you'll be both impressed but also understand that we as the BC need to be asking for improvements in the flexibility that the Board members are given because right now general Council gives pretty strong limited guidance to the Board members on what they are - what their role is.

Elisa Cooper: Marilyn, aside from the meetings that we have with Bill, you know, at the ICANN meetings, I don't recall ever meeting with Bill as the BC aside from that.

((Crosstalk))

Elisa Cooper: Are you suggesting that we do meet with him?

Marilyn Cade: Well actually we - Elisa, a couple years ago we held monthly calls with Bruce and Bill. But we discontinued that. So it was always on a - it was up to us but they did a couple of calls with us informally. I was just saying we need to renew that.

Elisa Cooper: Yeah, I just wouldn't want to give anyone the impression that we've done that in the past two years because I don't recall that.

Marilyn Cade: We did it - we did it in the years that I was chair but we didn't do it in the last year, you're quite right.

Elisa Cooper: So I do think that there's a lot of confusion that there is no actual process for the election so I do think that the CSG should come forward and make it clear that we propose, you know, the process, I guess, that was laid out by Glen.

Because I think that the Non Contracted - that the Non Commercial Stakeholder Group I don't think they believe we have a process agreed upon. That's my personal opinion.

Marilyn Cade: I think that's fair. But, you know, just because Non Commercial Stakeholder House has two candidates, one being Wolfgang and one being Avri, doesn't

like the process we followed in 2011 doesn't mean we don't have an agreed-to process.

Elisa Cooper: So is it - so that we're supposed to be in a nomination period right now is that correct?

Marilyn Cade: We - according to Glen we're supposed to be in the nomination process.

Elisa Cooper: And then isn't that supposed to close like on the 16th or so?

Marilyn Cade: Seventeenth. And so the question we have is can we put forward a nomination from the CSG?

Elisa Cooper: Okay.

Marilyn Cade: And we need to put that forward. That was the purpose of the call with Bill. And from the BC perspective, you know, we need to be thinking can we put forward Bill as a nominee?

Elisa Cooper: Okay. Do you think he's done a good job?

Marilyn Cade: Me personally?

Elisa Cooper: Yeah.

Marilyn Cade: I'm happy to talk about this. I think Bill's done an excellent job when we understand what the limitations of the Board members are. When Bill stood just for, you know, I know this is being transcribed and I welcome that. I was originally the candidate. And many members may not remember this but I stood down because it was unclear that - it looked like we could get enough

votes but it was quite unclear so I stood down. And a number of us, not just me, recruited Bill to stand.

He was not - he told us at the time that he would prioritize trying to include the relationship of the GAC, increase the participation of the governments and try to improve the accountability of the GAC to understand the rest of the stakeholders.

I think he's done a very good job. I think the issue for us is something quite different. And I'm going to be very clear what that is. The Board is restricted by advice from John Jeffries. And right now the Board is saying cautionary things to Fadi but the Chairman of the Board is - Steve Crocker is aggressively supporting Fadi to say, "Don't listen to them. Don't listen them. Don't listen to them. Move ahead. Move ahead."

Steve means very well but he's not listening to the rest of the community. You guys have been in the meetings with him. He doesn't look at you. He doesn't look you in the eye. He sits in the meetings. He's - read his post on - discuss. You know, he means very, very well.

But I think Bill's done a good job but Bill and other Board members need to be empowered that they need to listen to the community and the Chairman of the Board needs to be listening to the community. But Bill can't do that by himself.

Elisa Cooper: So your opinion is that the Chair is not listening to the community and the rest of the Board members are listening to the Chair?

Marilyn Cade: No, my opinion is that the Chair's not listening to the community and the rest of the Board members need to be given a much stronger input from the

community and that means us to Bill but us to Bruce as well to say this is what the community is concerned about. You're moving too fast.

And, Elisa, we need to come back to so what change do we want? You know, I think Bill's done a good job in affecting the changes that he committed to affect.

But I think now the message needs to be come back from commitments to improve the GAC and stabilizing the GAC which you committed to do. And now help us improve and strengthen the voice of the community into the rest of the Board and into governance of the Chairman of the Board who is really not listening to any of us.

Elisa Cooper: Okay. I think that's - thank you for that, it's very helpful. Any other updates, Marilyn, on the CSG front?

Marilyn Cade: No, no but I...

((Crosstalk))

Elisa Cooper: Yeah.

Marilyn Cade: Yeah, but can I hear from other members on the call? Because, you know, I don't want to be out there by myself on this.

Elisa Cooper: I think in many ways, Marilyn, you know, you have the experience, the expertise, you've been around much longer than many of us so I think that we value your insight. And, you know, I'm not sure if others on the call have thoughts. I see Jimson has his hand raised.

Jimson Olufuye: Yes. I just wanted to, you know, talk about the system mechanics and feedback mechanism between our rep on the Board and the community. What is it like? Elisa, you are (unintelligible) opinion about him. I feel that if there is a kind of - if...

((Crosstalk))

Jimson Olufuye: ...the performance of Bill. So I want to find out from Marilyn what has been the feedback mechanism like moving from the Board, our rep on the Board and the communities. Marilyn, did you get me?

Elisa Cooper: Did you catch that, Marilyn?

Marilyn Cade: I think that's really fair. We don't - most of us - Jimson is going to be very unique in this but most of us don't talk to our GAC members about the positions they take at ICANN. They live in an insular world. And I think Jimson is raising a point of while we're together maybe we should be thinking about, you know, we have a (AFICTA) with 12 African countries. We have (TAGI) with several MENA countries. We have European members.

Maybe we have an informal discussion about how we begin to strengthen our feedback into the GAC through our membership.

Elisa Cooper: And I think Jimson raises another excellent point, I mean, and I think you raised this, Marilyn. Maybe we need to go back to having, you know, a 30-minute call with Bruce and Bill or whoever, you know, those Board members are every six weeks because we don't - we haven't had a very good feedback mechanism, in my opinion...

Marilyn Cade: Right, right.

Elisa Cooper: ...you know, and I take some - I take responsibility for that. I think that's something that we can improve and having a brief call with them every, you know, month and a half would be a way to do that.

Marilyn Cade: Right but...

((Crosstalk))

Marilyn Cade: Yeah, and Elisa, I think they would love that. I just want to compliment you on that. I think they would love that.

Elisa Cooper: Yeah, and I think it's definitely something we should do and we can do. Steve, I see you have your hand raised.

Steve DelBianco: Hey, thanks. Marilyn, I think you're accurately reporting what Steve Crocker has been doing in respect to Fadi. And I agree we should meet more frequently with Bruce and Bill.

The part I don't understand though is what are Bruce and Bill doing on the Board meetings? We have no substantive discussion of minutes. The NGPC is even more opaque than the Board at large. So we don't actually know what moves they make to advance positions that they've heard from us that are really important.

And so if they're not allowed to disclose all of that as part of the Board's opaque policy on minutes and voting one benefit of meeting more frequently with Bruce and Bill is to ask them, "How did you vote? What was said? What was the tenor of the debate?" And I wouldn't want to until a face to face to meet them on that. I would wonder right after a Board meeting or an NGPC

meeting where Bill Graham works, is to ask them for a confidential BC-private update on what was done at the Board meeting and how did you advance the positions that we've discussed. Is that possible? Thank you.

Elisa Cooper: I think that's a fantastic idea and I think we should look to do that.

Marilyn Cade: And, Elisa, why don't we put that into our CSG - sorry, it's Marilyn. Let's put that into our CSG call and even put forward a schedule; Board member - sorry, Board meeting call consultation call.

Steve DelBianco: Are they likely to claim that they're not allowed to disclose?

Marilyn Cade: Well, here's my view. If they say that then we need to say - we need to figure out how we help to change the bylaws so you can have this call.

Steve DelBianco: Okay, I'd agree with that. A lot of the BC's comments on ATRT 2 got to this notion of transparency.

Elisa Cooper: Right.

Marilyn Cade: So, Elisa, if we could just put this in? Informally I'll - we'll raise that in the - we'll put that into the BC - sorry, into the BC talking points for the meeting on Sunday morning, right? And if you and I we send that forward to Steve and Tony and Kristina and Steve, sorry, Tony, Wolf, Kristina, so it's not a surprise, is that okay?

Elisa Cooper: Yeah. And I kind of we - we can do - if you want to send that to them I think that's great. You know, if you don't I think we can work that topic into a topic we have already which is around CEO and Board accountability.

Marilyn Cade: All I'll do is just give them a heads up...

Elisa Cooper: Yeah.

((Crosstalk))

Marilyn Cade: Yeah.

Elisa Cooper: Yeah. And we definitely have a topic around...

Marilyn Cade: Right.

Elisa Cooper: ...Board feedback mechanisms in our discussion for preparation with the Board.

Marilyn Cade: Right.

Elisa Cooper: Phil.

Phil Corwin: I just wanted to support what Steve just said and go a little further. There can't be any real accountability without transparency. It's not acceptable to have a Board which is increasingly opaque in its operations. And the secret resolution last September where it showed their mistrust of the community, the one in which they authorized Fadi to go forward and organize what became the Montevideo Statement.

And we don't have enough people on this call but I would again urge the BC to consider urging Board meetings to be open. The technology is there and there's very little that needs to be redacted and is really confidential. And if, you know, a fallback position would be transcripts because the minutes are

useful. You can't tell what factors they considered; whether there was a vote, how the vote went. It's as if it's the North Korean Politburo and everything is by unanimous agreement.

Elisa Cooper: Thanks, Phil. I personally agree.

Phil Corwin: You're welcome. Thank you.

Elisa Cooper: Any other - before we kind of move on to a bit of a policy update from Steve, anything else on this front? Okay, Steve, over to you.

Steve DelBianco: Thanks, Elisa. This'll be very quick since we spent so much time on this last Thursday. And we've had an amazing response from members to sign up for drafting and review on public comments. Again, really enthusiastic about that.

On that front I did want to bring up the second Accountability and Transparency Review Team; we call it ATRT 2. We circulated those and I asked everybody to get back to me by tomorrow night, the 14th, so I could submit them to the BC on the 15th. I had one reply from Aparna at Google. And Aparna's not on the call but Andy is, that's good.

And Aparna asks one question and made one suggestion for our comments. Let me raise them here for the several of you that are on the call. Aparna asks right up front when we said that the ICANN ought to make the Affirmation of Commitments permanent. Aparna is wondering whether we only meant the accountability review or did we mean the entire affirmation?

And I'll answer Aparna in writing but I'll say to you, we meant the entire affirmation because it includes a review on security, stability and resiliency every two years. That is core to the BC's mission. It also includes a review

with the new gTLD program both its implementation and the application process. There's also this notion of global public interest which is a blanket part of the Affirmation.

So unless anybody here objects I'll reply to Aparna and, Andy, help me to get this to her, that we mean the whole affirmation and not just the accountability review. Phil Corwin, is your hand up on this topic? Thanks, Phil. I'm going to turn to you next because the rest of what Aparna came up with is she softened a bit of the rhetoric that I adopted from Phil Corwin's edits. This is the rhetoric about open meetings, things that the CEO did by flying to Brazil, a closed secret Board resolution.

And, Phil, I mean, Phil was in his element. Some of the stuff he wrote in there was just beautiful. And I watered it down a little bit but I brought a good bit of into Page 3 of our ATRT 2 comments. And Aparna softened it a little bit and I think - I'm going to look to Phil to say whether he's comfortable with the edits that Aparna made. Phil, do you have anything to say on that now or do you just want to handle it via email?

Phil Corwin: Yeah, Steve, I'm just looking at this document. Rather than giving a very quick response here without full considering her suggestions why don't I just get back to you later today on that?

Steve DelBianco: That's fantastic. And I do hope you'll be comfortable with it? And then I'll be able to submit these on time on Saturday.

Phil Corwin: Okay.

Steve DelBianco: Thank you, Phil. And thanks to everybody for the fantastic comments on ATRT 2. And as I said to you there were so many comments and they,

unfortunately, go split into three different threads and that's because we moved the discussion to BC Private at some point. Moving a discussion in the middle of a discussion means we get separate threads and people reply without seeing the other folks' replies.

So to avoid that in the future I'd like to know what's the preference here? Do we want our preliminary discussion of draft comments to be on BC GNSO or on BC Private? We don't have an official position on that but I'm happy to do what the group wants.

Marilyn Cade: Steve...

Steve DelBianco: Take a queue on that.

Marilyn Cade: Sorry, it's Marilyn. I want to be in the queue on that.

Steve DelBianco: Marilyn, go ahead.

Marilyn Cade: I was actually quite surprised that that was ever a question. We never put our draft positions in the - historically we never put our draft positions out for the public because members needed to be able to, first of all, debate. So I think draft positions do need to be on private.

And then once we get a position then of course it's all very public. That's - I was actually quite surprised we would ever put draft positions into the public list. And, you know, for my own view right now, we need to be on the private list and if we need to take this up in face to face meetings we can do that.

Steve DelBianco: Thanks, Marilyn. I appreciate your expression of preference. But as far as past practices I almost always leave them on the public list unless it's something incredibly sensitive about membership or a person.

Marilyn Cade: Sorry...

((Crosstalk))

Steve DelBianco: So I'm happy to make that change but it's not been our practice to put everything on private.

Marilyn Cade: Sorry...

((Crosstalk))

Marilyn Cade: ...I was making a different point. I was saying in the past prior to - so when we were the BC maybe three or four years ago we didn't put anything out publicly. That was my point. And I...

((Crosstalk))

Marilyn Cade: I was saying I was surprised to see we've been putting things out. I just assumed they would be private. But I'm going to raise it again. I don't think BC members who are going through debate, maybe even internally, I would ask when we're doing development we make it private and once we (unintelligible) into the final document we make it public but that's my personal view.

Steve DelBianco: What then, if any, goes on BC GNSO?

Marilyn Cade: Sorry?

Steve DelBianco: Would that mean that, for an example, scheduling things for Singapore, is that on BC-GNSO? Our discussion of election...

((Crosstalk))

Marilyn Cade: Look, a schedule - we obviously wouldn't want to put the names and contacts and emails that we're putting together for a meeting on the public list, right? We - that's always restricted. But once we have a final schedule that would go on GNSO from the...

Steve DelBianco: Okay.

Marilyn Cade: ...Secretariat. But we're talking now about policy development; we're not talking...

((Crosstalk))

Steve DelBianco: Right, right, but I picked up - I got it, but I picked up a thread there that says the default should be for private during the development of practically anything. It's only when we are - only we are in the final stage of a decision whether that decision is about an election or decision about schedule or decision about a position that they go to GNSO.

You can see, Marilyn, I was just trying to discern a general policy...

((Crosstalk))

Marilyn Cade: Right.

Steve DelBianco: And I think I understand. And I see Elisa and Jimson.

Elisa Cooper: Yeah. I concur. I think when we're in development of the policy typically I've - when I've sent out any draft of anything I use the private list because I know members are trying to figure things out, I'm trying to figure it out. And I don't want to be quoted - and there have been times in the past I think I've sent something out on the public list and then it's been picked up and it's been quoted and it wasn't an official BC position so I don't want that to happen.

Steve DelBianco: Yeah, excellent point. Jimson. Not hearing you, Jimson. If you wish you can type it in the chat and I'll read it.

Jimson Olufuye: So I also - yeah, I also support the same line of thought, you know, consigning that except we want public input in the draft. It said we want public input then it should still remain in private until we're ready to be available for public consumption.

Steve DelBianco: The public and private, in all cases, the only people we listen to are BC members whether we put in on the BC public list or the BC private, Jimson. The distinction here is the BC-GNSO is available for anyone in the world to look at; they can see all of the discussion threads and the attachments.

And so far we've heard from Marilyn and Elisa that would say that the development of any BC position stays in the BC Private list until such time that we're about to post it and then we would share it on BC GNSO. So it's not about general public input, it's about public visibility...

Jimson Olufuye: Yes.

Steve DelBianco: ...of what we're doing. So I'm thinking you're agreeing with Elisa and Marilyn.

Jimson Olufuye: Yes, yes.

Steve DelBianco: Is that right?

Jimson Olufuye: Yes.

Steve DelBianco: Okay. And then so I have a question for the members who are on the call. Do any of you have difficulties using BC Private versus BC GNSO? I mean, they work the same way. Is there anybody who's concerned about moving all of these discussions to BC Private?

I see none. I will take that on from this point forward. And that will definitely make all around my job easier at keeping our discussion threads from getting forked. Thanks very much.

Okay, there was one other topic, there were three or four that I want to review. The qualified launch program for new gTLDs, those reply comments are due this Saturday, March 15. We did not have any interest over multiple asks.

Ron Andruff said he would check his schedule on last week's call. Ron got back to me, said he does not have time to comment on that so the BC will not be making a comment on registry agreement process for how a registry can reserve those 100 names that it gets to use for its own purposes.

Let me jump to the meetings strategy which is ICANN's future meeting strategy. Michelle Chaplow and Andy Mack are coordinating right now on those comments. We have a good deal of time. And I think they're going to try to have a discussion draft ready for us in Singapore.

On name collisions Marilyn stepped up first and then both Jim Baskin and Sarah Deutsch, of Verizon, are helping on that. We hope to have a discussion of that at some point in Singapore.

And when I say discussion in Singapore I realize the BC meeting on Tuesday and the BC pre-meetings have very crowded agendas. So it won't be possible to go through all of these at each of the meetings.

But I'm going to try to find time on those agendas so I might turn to Sarah, Jim and Marilyn on Tuesday a couple of hours into the BC meeting and say, hey, take 10 minutes, tell us what you're currently thinking on the BC's comment here. That gets a chance for you to hear from your fellow members and we can do the rest of it on email.

Turning to Number 7 it was the Inter Registrar Transfer Policy, or IRTP Part D. Fortunately we have volunteers from Chris Chaplow, Stéphane Van Gelder and Elisa. And I've already reached out to you guys last night about starting to form some preliminary positions. That's not due until April 2nd so you have plenty of time.

And then finally, as Elisa mentioned earlier, ICANN has four strategy panels with another one coming. And on the four strategy panels we had fantastic response from volunteers. Elisa is handling identifier technology innovation; Marilyn, Aparna, Angie and I are doing Internet governance ecosystem; Andy Mack, Chris Chaplow and Gabby are handling multistakeholder innovation. That's the crowd sourcing stuff. And finally Jimson, thanks for stepping up on public responsibility framework.

I'll only stop there to thank you but also ask if any other members of the BC want to assist those volunteers at the work they're doing.

Marilyn Cade: Sorry, Steve, it's Marilyn. Actually I wanted to add a different factoid if I could? The fifth mystical panel has now appeared and presented something to NETmundial. You can't actually access it from the ICANN Website, or at least you couldn't last night. But I was able to access it from NETmundial and I can post it. I think it would just be helpful to put it into our mix.

Steve DelBianco: Oh definitely. Could you please circulate that? And, again, the question becomes BC Private or Public. Please put it on Private so our reactions will stay on the Private thread, okay?

Marilyn Cade: Right.

Steve DelBianco: Fantastic. Elisa, I had one more item while I was giving people the time to raise their hands and volunteer, is that I want to thank Stephanie and Andy for stepping up and helping out on some comment drafting. Stephanie was unable to participate as much as she wanted to but Andy Abrams did draft the BC's comment on inconsistent decisions that the outside experts have made on string confusions. And I circulated that for review last week and look forward to hearing BC member feedback on that.

Elisa, that's all I have for now on policy.

Elisa Cooper: Thank you so much, Steve. And I want to thank all the members for being so active and working on these comments. Just a great contribution from members so thank you so much.

I'll just turn the last couple of minutes over to Marilyn to do an update on 1net and Internet governance activities. Marilyn.

Marilyn Cade: Thanks. I think maybe Aparna and David and Phil are on the call. Maybe what we might do is send a written update. But just a kind of shortcut information for everyone, the NETmundial meeting is moving forward. There's almost 200 submissions including a submission from the Cross Community Working Group which you had four representatives on: Phil, Aparna, myself and David.

We can post that to all of you. There will be a public session on Monday. We're hoping it will be right after the CEO event but if not it'll be in the afternoon. It will be like a - it's going to be a kind of a public session so input from every participant in the room is going to be very important.

We presented a set of principles. Remember, this is not approved by anybody; it's just the four of us trying to do our best along with others. But we presented a set of principles. You're going to like those. They're bottom up, bottom up, bottom up, bottom up, bottom up consensus.

But we're going to need to have a heavy presence in that. A number of participants from ICANN will have put their names forward to NETmundial. On the 15th of this month there will be a evaluation of who gets approved. And what I would expect is there'll be a number of participants from the ICANN community and at that point we can look at who's going from - that has membership in the BC and think about how we continue to influence the activities that are going on in NETmundial.

I just want to put NETmundial into a larger framework for everyone. There's a very strong negative - sorry, cautionary, cautionary message being given to

NETmundial that it is not in charge of all answers. And that it is one input into a variety of others events.

And I think that's - it's hard to understand that if you look at the ICANN Website because you see that Fadi and Sally and the crew - the marketing coms group from ICANN have put NETmundial on the front page of ICANN.

But in the larger set of meetings there's a lot of caution about what comes out of NETmundial. And I think we should be also being cautionary and not thinking that something that happens in a meeting in Brazil that has 12 governments and only 800 participants should replace in any way what we do at ICANN or replace what happens in Internet governance more broadly.

It's one important but, you know, and I think I would just ask everybody to be thinking about this because a lot of people can't be involved in NETmundial and we wouldn't want NETmundial to replace our voice in the form or evolution or improvements to ICANN or beyond ICANN into Internet governance.

At the same time we've got a lot of presence and so we should figure out how we use that.

Elisa Cooper: Thanks, Marilyn. Any questions for Marilyn before we wrap up?

Jimson Olufuye: Elisa?

Elisa Cooper: Yes.

((Crosstalk))

Elisa Cooper: Yeah, go ahead, Jimson.

Jimson Olufuye: Well I just want to ask - I just want to add a bit to this that I (ICC Basis) also submitted a contribution to NETmundial on behalf of global business. So I want to recommend that we also take a look at it and analyze it. And perhaps also have some comments, you know, of our own even as we look ahead to the NETmundial. Thank you.

Marilyn Cade: Jimson, I can forward - I can go look at the (ICC Basis) did have comments. (Edno) who's also a member had comments. WITSA had comments. Maybe I could pull out the BC members who submitted comments, Elisa, and post them - do you think I could just post them?

Elisa Cooper: Yeah, yeah, that sounds like a good idea. I see that we're losing members because we're actually at time so I think that makes a ton of sense if you can do that.

Marilyn Cade: Yeah.

Elisa Cooper: And then, Steve, real quickly I see you've got your hand up.

Steve DelBianco: Yeah, two things. Marilyn, include 21st Century Fox, David Farris's - his collation also submitted a comment. And the other is you mentioned some principles that our Cross Community Working Group put in that were very bottom-up oriented...

Marilyn Cade: Right.

Steve DelBianco: ...could you put that - circulate that to all of us on either private or public, whatever you think is right?

Marilyn Cade: I will. We also have Google, we've got Microsoft who's a member of the (USD), I'll go look on - I'll see if I can pull out the majority of the, you know, I'll look for the cross linkage and post those. I don't want to drown people but I think, Elisa, if that's okay?

Elisa Cooper: No, that sounds great.

Marilyn Cade: Good.

Elisa Cooper: So I think we should wrap up. Thanks, everyone, I know we're a couple minutes over but we'll see you all in Singapore. Thank you so much, everyone. Bye-bye.

Marilyn Cade: Thanks. Bye.

Elisa Cooper: Bye.

Nathalie Peregrine: Thanks very much, (Tim). You may now stop the recording.

END