

ICANN

Moderator: Gisella Gruber-White

March 5, 2015

10:00 am CT

Brenda Brewer: I would like to welcome everyone to the BC Members Conference Call on Thursday March 6, 2015 at 16:00 UTC.

On the call today we have Andrew Harris, Andy Abrams, Elisa Cooper, Steve DelBianco, Jim Baskin, Jimson Olufuye, Gabriella Szlak, Claudia Selli, Barbara Warner, Beth Allegretti, Ron Andruff, Stephane Van Gelder, and Phil Corwin and I would like to - oh I must admit we do have apologies from Laura Covington, Marilyn Cade, Tim Chen and David Fares. I'm joining as staff, Brenda Brewer.

If you would like to speak, please state your name for transcription purposes and we will turn the call over to you Elisa. Thank you.

Elisa Cooper: Thanks Brenda so just a couple of things I wanted to cover before I turn it over to Jimson to give us an update from finance and operations and the first thing is we sent out a request for somebody to participate on a drafting team that the GNSO council is putting together and they are looking for someone to

participate on this drafting team that is focused on implementing the new meeting strategy and so I am just again making a call out to see if there is anybody that would be willing to serve on this drafting team and I am sure it is really to, you know, put some final or make final decisions about how the new meeting schedule is actually implemented.

Is there anybody on the call that would be willing to participate in this drafting team? No one - okay. Well I guess I will just put it out there and, you know, if anybody changes their mind please let us know and we will get you added to that group.

The other thing I wanted to let you know about is that towards the end of the month we will be having our regular scheduled call with Fadi so if there are any particular issues that you would like me to raise with Fadi usually he has been sending out an agenda prior to the call so I will share that with you but in the interim if there are any specific items or issues that you would like me to raise with him on that call please let me know.

I also want to ask if there are any other items that anyone would like to cover on today's call before we move on to Jimson. Okay, I will turn it over to Jimson.

Jimson Olufuye: This is Jimson. Thank you Elisa and good things everyone. I would like to first and foremost on my last report to you and to provide slide updates as follows.

Number one, I would like to mention that we have submitted six, FY16 budget requests to ICANN by the deadline of February 28th. Submissions covered requests for (unintelligible) members can be supported to attend (unintelligible) and for outreach. I also include request for leadership support

to bring to leaders from developing countries potential to become members of the BC. You can recall we had leaders from...

Elisa Cooper: Did we lose Jimson?

Brenda Brewer: I am so sorry we did lose Jimson. We will call him right back.

Elisa Cooper: So I can probably provide you just a couple of updates. We have had, you know, a fair amount of interest from new members and so we will have two new members and starting to join our calls. As you probably remember at the Singapore meeting LinkedIn was participating. Payment for them was received so they will be joining our calls as well as Legitscript so two members.

There are others that have applied and qualified but have not - we have not yet received their payment. Typically we receive payment before we add anyone to the actual email distribution list so definitely interest from members and starting to grow in numbers actually. I am sure one of the others...

Jimson Olufuye: (Unintelligible) I am back.

Elisa Cooper: Oh yes, Jimson are you back?

Jimson Olufuye: Yes, sorry about that (unintelligible). Well just to make, you know, we have made the necessary permission for FY16. We also submitted for another round of (unintelligible) (professional) to take place between that time 54 and 55 and (unintelligible) 65 and 66.

We have a CSG call and we all agreed on that. We also submitted for support, policy (counselor) so I just went through that for banking and invoicing support.

Secondly, the outreach proposal (unintelligible) must (unintelligible) postponed so June 10 and 11 so that it can (unintelligible) and also very likely the election coming up in a year, around that period so June 10, 11 will be secured so have the outreach for more results.

Still on outreach there is the request to use two (crops) slots to do outreach in Zimbabwe, (unintelligible) so (unintelligible) very well (unintelligible) board member and (unintelligible) program (unintelligible) will be attending as well so (unintelligible).

Then probably our membership I think I had (unintelligible) I don't know if you covered the fact that LinkedIn and Legitscript now will be joining. They have completed the process. We are working two other companies to join the BC, so once those two completed process will also be announced so I would like to use the opportunity to welcome LinkedIn formally and Legitscript formally.

(Unintelligible) the other proposal to use one of the two leadership developments (unintelligible) so I don't know if Elisa has already mentioned that so (unintelligible) utilized (unintelligible) lead up to the (unintelligible).

And then lastly from me (unintelligible) questions I would like to announce that we need applicants for the next edition of our popular (unintelligible) newsletter. As you know our newsletter is well regarded so we have 'til end of April to send in our articles, no more than a thousand words so (unintelligible)

and sending some articles concerning topics germane to our work so on this news I want to thank you all for listening and I will take questions.

Elisa Cooper: Any questions for Jimson on anything related to finance?

Just to let members know I suggested to the Outreach Committee that we invite Itau which is a very large bank in Brazil to the next meeting and I think that unless there are any on the phone that have concerns I would like to extend an invitation for them to join us. I think while we still have another slot available we may even have two since we only invited Mercadolibre to the LA meeting.

Or of course I am definitely open to inviting if others have individuals that they would like to invite to the upcoming Buenos Aires meeting - definitely open to that as well. Oh (Andrew) I see your hand is raised.

Andrew Mack: Yes, a quick question. This is actually a quick question for Jimson. As you had thrown the thing to - first of all thank you very much for all the hard work done on the Nigeria thing - I recognize it was a lot of backing and forthgoing.

I wanted everybody on the call to know we have got a nice relationship established with all of the people on the ICANN and then actually learned a lot from the process and it will help us a lot moving forward and Jimson has done a tremendous amount and flexible in working with this.

I have a question on the Zimbabwe thing if I could and just a request generally for doing support which is I appreciated getting the program - the one thing I am never clear about is how many people are going to attend and which people - which kinds of people there are and that is - I just wanted to know that because it helps us to make our decisions and, you know, make

accommodations and things like that. Do we know how many people are expected to be at that Zimbabwe meeting?

Jimson Olufuye: Yes, this is Jimson - let me also put this on record my application to the member of the Outreach Committee and Andy for the envisioning and constructive follow-up on the issue of Outreach. The (IED) event in Zimbabwe is a leadership event that's coming to Zimbabwe. It is not our program but it is not (unintelligible) program. This is not ICANN program so it is an African-wide program (unintelligible). So from us, from BC we are proposing that (unintelligible) program and (unintelligible) we are sending a VIP. VIP given the opportunity to build up a network hopefully talk about ICANN, talk about BC and also share an (unintelligible) and also go with (unintelligible) so we've had discussion with the organizers so the opportunity will be there for them to visit, to talk more about BC and ICANN, with two people from BC.

Andrew Mack: Okay, so I guess that - that was the two questions that I had and I think we should look at generally is how many people are going to be there, what role can we play and if we have a good speaking role or if we can get out there very (unintelligible) I say that sounds like a good gig.

I also had a quick question about Itau. I think that they are going to be a great candidate Elisa. My only question is - is that have we - whether - how we chose them as opposed to any other bank in Brazil or in the region and if it is new contacts because of their interest that is great - I just - I wanted to understand it so we can develop - clear up a little bit of a kind of a muscle memory or practice around that. Does that make sense?

Elisa Cooper: It is only because I have a relationship with them.

Andrew Mack: Super, okay that is what I thought but I just wanted to make sure. By the way, sorry I have got a little bit of a head cold so my apologies for the voice.

Okay, well that sounds good. Yes, the both of those seem very reasonable then. Those were the - I guess those were my only questions or comments. Thank you.

Elisa Cooper: Thanks (Andrew) - any other questions for Jimson? Before we move on, and I think I mentioned this last time just to remind folks. Mahmoud Latouf from AGIP is going to be at this Middle Eastern DNS event next week and he has graciously offered to translate some of our material into Arabic and he will be providing those and doing some outreach at that event. I think AGIP is the sponsor of that so he doesn't require any funds but we will see what comes from that so I think that is very promising.

All right, why don't we - unless there are other questions, why don't we move on and we will hear next from Steve on policy.

Steve DelBianco: Thanks Elisa. We have a relatively light turnout today and that is probably okay. It is going to be a quick agenda. I sent the policy calendar out last night and let's start right off the bat with the Channel One public comment.

Let me first thank Angie Graves, I know you are on the call. Thank you for drafting a comment on who is accuracy pilot study report. (J. Scott), Susan Kawaguchi, (Allen Black) they all provided comments. It was a strong submission from the BC. And let me point this out only two other ICANN stakeholders bothered to submit substantive comments so far so we are one of three so we carry a disproportionate burden of - or I should say a disproportionate privilege of influencing the staff report on public policy and open public comment period.

So let's keep the BC relevant - let's make sure we comment on everything because many cases such as the next example we were the only one who filed because on the 18th of February we filed on this five corporate .brand TLD's and we were the only one who put it in. Thanks to Laura Covington for drafting that.

All right so we have four open public comments. The first one is this notion of whether registrars can get a reduced requirement for the commercial liability insurance. Staff is provoking this as a way to make it easier I think for smaller registrars to be able to get liability insurance. You will see the public comments that some folks - our good friend (McKaley Nelan) are suggesting they dramatically reduce it. BC member Mahmoud Latouf weighed in with a more balanced view and (Alex Dekin) Elisa and I worked on a comment that incorporated some of the principles from Mahmoud's submission - that is his person one for the - for himself, not to the BC.

So the first attachment to today's policy calendar is the draft that (Alex Dekin) Elisa and I put together - important for all of you members to weigh in on this. Again, we could be one of the few stakeholders asking ICANN not to drop or reduce the commercial liability requirement. At the same time we tried to be clever to suggest that maybe the registrar fees could be credited back to offset the premiums they are paying for commercial liability insurance - so put the onus back on ICANN who has plenty of money to help these registrars afford liability insurance instead of dropping the requirement that they carry it.

I will take the queue on this one right now. Anyone else interested on commenting on that or volunteering to help? Notice that I need comments back from all of you by the 13th of March so that I can get this submitted on the 13th, okay?

The next one GNSO policy and its limitation - this is a working group created two years ago, pretty much because of what we did when Fadi first became CEO we met with him in the Toronto meeting and joined by our colleagues in the IPC and the ISP's we pressed him on several items that implementation improvements needed to be done for the new gTLD program.

You know, among them are things like requiring that registrars use the new RAA, extending the time period of trademark claims, making sure that commitments that applicants made to governance would be incorporated into the contract so they could be enforced by ICANN. That became the (PIC-SPEK).

So look several of the items that the BC asked for were warmly embraced and implemented. We should get credit for that but instead a number of the community, particularly in the NCSG, criticized this idea of making changes during implementation. They did a reconsideration request. It soured the relations between the CSG and NCSG for a bit but I think we are past that but here it is again. This is back up on top of us and ways to separate and integrate policy and implementation.

(Zahid Jamil) worked with (J. Scott Evans) who is the chair of this working group and they came up with a draft comment. It is the second attachment to this document. There is also a survey which I think will be open. They have extended the comment period on this one to March 17th but take a look at that link I have under number two for the survey, BC members as individuals should fill out that survey, especially if they have any experience at all with policy and implementation.

I will take a queue - any comments on (Zahid)'s draft which was the second attachment? Come on people, it is not that early in the morning.

All right, number three, we have a country and territory names in three more gTLD's. I think one of them is a brand - is - anybody know is .EMERCK a brand - anybody? It might be.

Ron Andruff: M-E-R-P, MERP, M-E-R-C-K - this is (Ron) MERCK is a German Brand so E-MERCK could perhaps be something - their online version or whatever.

Steve DelBianco: Ron this is Steve. As we are talking about this could you quickly go online and check that - I want to confirm. Thank you.

Ron Andruff: Will do.

Steve DelBianco: The other two are not brands, (Berlin) and (Hamburg) and yet the reason it is important to know whether one is a brand is the BC has done three prior comments on our steps where we warmly embraced the dot brand ability to do an RSTEP for country and territory names at the second level.

If this is a mixed bag of one brand and two (GEO)'s we can't just rinse and repeat with our comment - we have to be a little bit more discerning. The BC has been on record as firmly supporting and in fact several of the dot brand exceptions were originated by the BC in 2010 so we are going to back this one - the only question is whether we have to discern between two (GEO)'s and one brand.

Laura Covington worked on our last set of dot brand comments. Can I see hands from a couple of folks who might help to develop this comment? This

one is due April 14th. Something is wrong with my audio, I am not hearing anything. Andy Abrams is that - I will turn it to you, go ahead.

Andy Abrams: Yes, I raised the virtual hand but I am happy to help with this one.

Steve DelBianco: Andy thank you so much. So this is number three country and territory names for (Berlin), (Hamburg) and MERCK. Thanks Andy.

All right, number four - the last on the agenda right now is a draft report that ICANN staff put together where they are reviewing the rights protection mechanisms in the round of gTLD's that were nearly complete with the launch on the current round.

Don't even know where this comes from because the affirmation commitments requires a community led review of the RPM's and the Government Advisory Committee or GAC called for independent review seven - after - a year after the 70 gTLD was delegated. It is an independent review not a staff review but it looks like staff has decided to do its own review and I can't fault them for that - that is a good idea but we can't allow that review, you know, since it is the first one out of the gate. We can't allow that review to sort of shape everyone's impression on the RPM's since staff is likely to find that they work quite well.

So that first draft report was out - the comments close on May 3rd. This is an area where we need BC members who have been familiar with the RPM's either from the perspective of trying to register or protect their own brands or even those who have done their own dot brand TLD's. Who can help comment on this? We have (Kat), Mahmoud and Phil Corwin who volunteered but in that mix I don't see any of our dot brand members. Ron Andruff thanks for clarifying MERCK is a brand so that is a mixed bag.

Hey Susan I will turn it over to you.

Susan Kawaguchi: So I am not a dot brand but, you know, am familiar with the RPM so will - I can join in on that drafting team.

Steve DelBianco: Hey thanks Susan, appreciate it. (Andrew Harris) have you been tuned in enough to these - to this topic maybe to contribute a perspective from Amazon on this?

(Andrew Harris): No I haven't but I am happy to try to help out and figure out a little bit where we are.

Steve DelBianco: (Andrew) I hate to put you on the spot but I have a feeling that if you asked Kristina Rosette she will give you an earful of I think ideas that we could contribute to this as well because she has just joined Amazon.

(Andrew Harris): Sure.

Steve DelBianco: Thank you.

(Andrew Harris): No problem.

Steve DelBianco: Elisa.

Elisa Cooper: This kind of jogged my memory and I wanted to share something and, you know, I don't know exactly how it happened but as you all might recall that (OVH) was one of these registries that didn't have a real sunrise period and there was a complaint filed and, you know, I don't know how it has come to be but they are going to - their long sense in general availability they have

announced that they are going to actually have another sunrise period so I would call that a pretty great victory for us in terms of, you know.

I don't know whether it was pressure for compliance - I don't know (if it was) pressure from the community but it is a good thing for brand holders.

Steve DelBianco: Thanks Elisa - Phil Corwin.

Phil Corwin: Yes, Steve I just wanted to - of course I am already on the drafting team on this. Just to add to your earlier comments this staff report is distinguished from the issues report on the exact same rights protection mechanisms that was requested by GNSO council and that may be preliminary to a PDP on revision of them and that issues report was delayed in delivery from March 30th to October 30th with permission of the council.

So again I am not sure what the reason is for this staff report but it is out there and we will do our best on making preliminary comments but it is not the last word on this subject.

Steve DelBianco: Hey Phil when you click on the link to the public comment page for this, staff lists that motion, the GNSO council motion for an issues report - they list it among the resources for this - for the work they did but they don't particularly cite it as the reason why they did their review.

I am agreeing with you but it is interesting how staff is sort of mingling those two together.

Phil Corwin: Yes, but they are two separate things and this is separate. I am not sure the one we are going to see in October will be that different. It will be better informed

with more statistical data but I am guessing it will just be an update of what we are seeing here.

Steve DelBianco: Yes, and we could be drowned in reviews because by October we think the GAC independent review of RPM's as well as the affirmation review will be underway as well - Stephane.

Stephane Van Gelder: Thanks Steve just wanted to follow up on what Elisa said. Thanks for bringing that to us Elisa, very interesting. You may not have the answer to this but just wondering if they have a sunrise offer going to GA how does that work if there are some names there that are brands related but have been distributed during the GA - do you know anything about that - I mean will they be taking those names back and putting them back in a sunrise process? It all sounds very complicated to me.

Elisa Cooper: Yes, we are asking because we don't know but I will let you know but yes, we are going back to them today.

Stephane Van Gelder: Thanks.

Steve DelBianco: All right, thanks everyone. I will send a reminder to Susan, (Andrew), (Kat), Mahmoud and Phil. You have plenty of time on this one. It is not due until 3rd of May.

All right, so at the last meeting coming up of Singapore as well Laura Covington of Yahoo was one of the many BC members who were concerned when the GAC revised its approach for country territory names, particularly for dot brands and then the quick acquiescence of the ICANN board to the GAC advice in Singapore. They immediately changed the procedure without public comment on that.

So Laura had offered some points about that. It is the third attachment to my policy calendar. We discussed this two weeks ago in the BC call and suggested that, you know, maybe we don't want to just complain but rather propose a solution and that we ought to figure out whether our audience is the GAC or is our audience the board and we also suggested we ought to do something in concert with the brand registry group.

That was the conclusion in the last call and then I checked in with Laura Covington who is unable to join us today but she had done some outreach to the brands and hadn't yet sorted out how they are going to handle that.

I will note that Andy Abrams and (Andrew Harris) are on the call. Do you guys have anything to add to this idea of doing a letter?

(Andrew Harris): So this is (Andrew Harris) and I am sorry I missed the last BC call. I am so interested to hear that there was further discussion on that. You know, my initial impression has been - certainly I was bothered by what happened with the board but that, you know, the fact that they somewhat corrected a little bit and we were okay with the ultimate resolution even though not happy with their initial reaction of course the GAC so, you know, my thinking initially had been well is this just sort of passive and is this - and has the message already been sent to the board strong enough in the registry group.

But if there is continued interest from the BC based on that last call please put me down to help and I will connect with Laura and do whatever needs to be done to, you know, get in a position with the brand group.

Steve DelBianco: Thank you (Andrew) and Andy Abrams about two weeks ago you had volunteered as well. Could you, (Andrew Harris), (David Fares) could you guys coordinate with Laura on whether we are going to proceed with this?

You can simply forward my BC policy calendars since it includes Laura's original draft in this discussion.

There's no timeline on this because it's not a - I guess it's not a public comment period and it's not even clear that our letter will it make a difference.

But look in the past when the BC comes to a position gets it into the mix it ends up informing our debate at the public forum. It ends up bringing allies out of the woodwork.

And we end up making a difference even if it's an unsolicited letter in the middle of a process. So let's not shy away from that.

Cecilia Smith: Steve this is Cecilia. Can I get in the queue?

Steve DelBianco: Oh, sorry. Go ahead.

Cecilia Smith: That's okay. It's Cecelia Smith at (Fox). I just I'm not online so I'm not sure if you have this. The BRG actually did send a letter to ICANN on March 4 regarding this. I don't know if you have that or not.

Steve DelBianco: Cecelia I don't. So could you please...

Cecilia Smith: Okay.

Steve DelBianco: ...send it to BCBC-GNSO or BC-private?

Cecilia Smith: Sure.

Steve DelBianco: Thank you.

Cecilia Smith: And this is a response to ICANN Laura's, Laura and I contacting the BRG on this.

Steve DelBianco: Got it. And the BRG sent it to ICANN board or did they just send it back to the BC?

Cecilia Smith: Akram. It was to Akram.

Steve DelBianco: Okay.

((Crosstalk))

Cecilia Smith: Yes.

Steve DelBianco: Okay. Okay Cecilia will you circulate that and then I hope you can join Andrew, Andy, (David) and Laura on this?

Cecilia Smith: Sure.

Steve DelBianco: Thank you, thank you. Anything else on it? That's it for Channel 1. I'd like to turn things over to Channel 2 which is Susan Kawaguchi and Phil Corwin as our counselors.

Susan Kawaguchi: This is Susan. Phil I'll just, you know, we haven't coordinated. Sorry about that but I'll just go over a few things.

At the - our Wednesday meeting during the Singapore meeting one of the discussion points was the new meeting format. And we were asked to go back to our constituencies and really think about the - how we would get our work done in a four day meeting and how the GNSO would get their work done but also how the constituencies would.

And so we need to think about that and get prepared for next year and would we still have a full constituency day, how does that impact how the GNSO meets and would we meet with any of the board or any of that? So that's just for the future. We need to think about that.

There's a motion right now for the next GNSO meeting about the GAC GNSO consultation group. And so we would get the early engagement of the GAC on a policy development process.

There's a link in Steve's policy memo to that. My concern is that there will be - there's going to be - they're proposing three - that the GAC can choose three PDP' that they can get involved in early.

I don't know that that's - it's not clear whether it's consecutive or just if the GAC thinks there's an issue that - but I can't imagine a PDP coming up that there wouldn't an issue they would be involved in.

I am all little bit skeptical about letting this new process be experimented on if we actually launched the new registration data PDPs so that the work from the EWG if that goes - whether or not the GAC being - the engagement's great but I don't want them to be able to stall work on a PDP that's so major.

So I think we all should read that motion and give Phil and I some input. I don't know Phil, do you have a different perception on that?

Phil Corwin: Well it's not - I don't think it's different but just to add to that this is about implementing what's called the quick look mechanism where the GAC would - a new issue would come up and the GAC would within 15 days advise the council whether it has policy implications, whether it may have implications or whether it doesn't and if it's in the first two categories start giving some input.

It's an experiment to see if the GAC can be better integrated so they're not always coming in at the end of the process.

And there was some question about whether this would require this to be implemented for consecutive PDPs. There was one counselor who looked into it yesterday and opined that he didn't think so.

But that can be clarified. The resolution can be further massaged but this is basically about going forward with some experimental testing of this new quick look mechanism.

And the council meeting is two weeks away so we have plenty of time for feedback from BC members on this before it's discussed at the council meeting two weeks from now.

Steve DelBianco: Phil and Susan it's Steve. If I can put myself in the queue here I wanted to suggest particularly to our new BC members it's in past decade the BC has led an effort to get the GAC to get involved earlier and more specifically in policy

because it doesn't help us when the GAC lobs very high level policy letter over.

They've done it to us new gTLDs and Whois in the past and that waits until we're practically finished with implementation and comes up with other ideas that if we've had heard about them earlier we could have made them part of the policy.

So the spirit of getting the GAC involved earlier and more specifically is something we supported wholeheartedly.

And it was even in our comments on the ATRT which takes a good look at how well the GAC integrates with ICANN.

So we might have quibbles over the specifics but I do think to be consistent with where we've been in the past we ought to warmly embrace the idea of the GAC getting involved earlier and more specifically.

Susan Kawaguchi: And Steve this is Susan. I agree with you. But I do want to make sure that the wording in this motion allows some flexibility.

And I just think we need to look at it a little closer and then and make sure that we're protected also that they can't stop something which I'm not quite sure from this wording.

So we'll give it - I'll give it another look in the discussion at the meeting on the call it will be good too.

Steve DelBianco: Stephane?

Stephane Van Gelder: Thanks Steve. Yes two things. On the issue you just discussed I completely agree with Susan. I think, you know, we've seen many past efforts to get the GAC involved.

It's always been the GNSO holding out a hand towards the GAC and the GAC either not responding or finding it so difficult to find a way. So that's put us I think our community at a slight disadvantage to start with.

And I do think we have to be careful on, you know, not to bend over backwards too far to get the GAC involved if they are willing to and suddenly find ourselves in a position where we've given them so much that they can just come in and disrupt the process even more.

So...

Susan Kawaguchi: Yes.

Stephane Van Gelder: ...I'm very reassured to hear our counselors staying mindful on that point.

Also wanted to ask Phil and Susan on I sent on a different topic on the GNSO Review Drafting Team of which I was a member then asked to step away. But I don't think anyone else has stepped in so I'll probably just stay in there. I'm not sure what the situation is quite in there but I'm still the group for now.

I sent the other day to the list the NCUC's response to Westlake the external consultant that managed the process so far to their early recommendations.

I wanted to get an idea from Phil and Susan on what's being said at council level on this. Is there a feeling that we're just seeing bad temper from the NCUC or is there a problem with Westlake? Where is this going?

Is this something that the council's looking at or just waiting for the DT to come back to them with something concrete? Thanks.

Phil Corwin: Yes, well Phil here. There was a briefing which we previously reported on at the council meeting held on a Wednesday during the ICANN Singapore meeting.

We heard from someone from Westlake and also from Suzanne Woolf, former member of the council who's on that working group.

But it was - there's no final report yet so I don't know if Susan knows more but I think until there's a final report it's hard to critique it.

Susan I don't know if there were concerns previously within council about either the direction Westlake was taken or their methodology?

Susan Kawaguchi: They were in the previous council meeting there was concerned about while wait, we weren't offered an opportunity, you know, for an interview.

And then there was, you know, some people were saying I just make sure that I got an interview.

And so, you know, I don't think Westlake had a well defined - they had a well-defined process and then they varied from it which is good to be flexible but I'm not sure everyone was included that wanted to be.

So that's going to I think will always sort of taint the report. And Stephane I really appreciate you sending the NCUC comments because I found them very enlightening.

And to be honest I have not read the report fully. I've skimmed it but I need to sit down and really look through what has - what Westlake, you know, the preliminary report what they've written.

But, you know, in the report to us too, you know, they made some comments about it wasn't just the NCUC. They said there was some very bad behavior.

But they also talked about low representation and in China and India. And they, you know, the measurement of diversity and how to incorporate newcomers is very difficult so it will be interesting to see their final report.

Stephane Van Gelder: Okay thanks Steve.

Steve DelBianco: Ron Andruff.

Ron Andruff: Thank you Steve, just picking up on what Stephane and - was saying and Susan's comments. Just with regard to the interview list I noticed I found my name on that interview list. And I was surprised because I never sat down and had an interview with them.

Now having said that, I have been like Stephane, part of that working group and have stepped down from it.

I think Laura Covington in answer to your question Stephane I think Laura might be one of the representatives in fact who stepped up to take that on.

But in any case the - when they say they interviewed the question is what does an interview mean? Did you sit down in a quiet place with two of them and

answer 20 or 40 questions or did you just bump into them and have a conversation in the hallway?

So I just wanted to qualify that but mine was - mine would fall into the latter category had a conversation in the hallway as a member of that working party. So I think that there were a lot of efficiencies within the way that was structured.

But if you recall we've sent around - Stephane and I as we - as a development of the survey was being done we sent that out several times asking do we need to have more questions, do we need to improve on this, please have a look at it, please try it out, please fill out the survey when it finally came to be.

So this is something that's been cooking for a long time. And it's not surprising that people are getting a little bit frustrated by what they're seeing because I think it's one of those things that just didn't get enough attention from all of the community as we were moving through the process.

In any case as that's been noted we will be seeing another interim report coming out shortly, those who are on the working group and that then will be sent out to the broader community and I expect that's about three to four weeks out.

Steve DelBianco: Okay. That's it for Channel 2 I think, anything else Susan and Phil?

Phil Corwin: Just to of course we don't have an agenda for the 19th meeting yet. We'll share it when we get one and try to get some feedback.

And as you note the council sent a fairly mother and apple pie letter last week supporting the work of the CWG and the CCWG on the transition and

accountability. And the BC supported going forward with that after consultation with members.

Steve DelBianco: Any questions? All right thanks everyone. We'll jump quickly to Channel 3. I'll give you a - David Ferris is unable to be with us today. I give you a quick update on the CCWG.

And then Aparna if you'd like you can weigh-in or Phil Corwin on what's going on with the ICG CWG on IANA transition so if Brenda if you could just position us on Channel 3. Thank you very much.

So I'm your CWG rep on this Cross Community Working Group for accountability. We have - we're up to four calls a week now for all the different work parties and work streams.

It's pretty grueling but it's also gratifying that the BC's previous positions and stress tests are a predominant part of the dialogue. As being specific and early we're able to shape a lot of the debate.

We have 25 stress tests. Ten of them came from the BC. And those are the ones that we spend the most time on. I'll just give you one quick example.

One of our stress tests was what if the GAC were to change its own operating procedures from consensus which is to this today to majority voting? And there have been moves in the GAC to do just that.

If the GAC made that change well ICANN's bylaws say that whenever we get GAC advice we get due deference to GAC advice and we have to work out a mutually agreeable position with the GAC.

And what the BC stress test said is that is a way that governments could change their rules and take a much bigger chunk out of the policymaking of ICANN.

And that would be well that would be directly opposed to the position of the US Commerce Department who said that we can't give governments or intergovernmental groups a big role.

So the answer to that stress test was to make a small tweak to the ICANN bylaws right in the section where the ICANN board describes in deference to GAC advice.

You'd add one sentence clarifying that that deference would be there for GAC advice that was supported by consensus. And then we would use the definition of consensus that is in the current GAC operating procedures and it's the absence of an objection.

And the GAC has that in writing in their current procedures so we're simply codifying what the current procedure is to make it clear we need GAC consensus advice.

That lets the GAC change to majority voting if they want to and that's fine. And that advice will come over just like any advice from an AC or an SO.

We're reserving the special deference to consensus advice. And I tell you this story because it's an example the frustration we have on this CWG, CCWG since many people will - they won't be there for all the calls. They'll swoop in for one call. They'll read one chain of emails.

And there have been objections from members of the GAC who think we're trying to tell the GAC what to do. Well as I just explained that isn't what this is about.

The stress is test is something that's practically required by the US government. And it was mentioned four times in the Senate hearing last week.

Stress tests are a big part of the dialogue about assuring Congress, the U.S. Congress that this transition is well-planned.

Nonetheless GAC members get bent out of shape if they think we're trying to tell them how to write their procedures and nothing to that in this case. I'm just letting you know that that's kind of the frustrations we deal with.

We're also led the way on a BC suggestion where we said that the affirmation reviews ought to be moved into the ICANN bylaws.

I've led the drafting on that. And we've moved all four into, you know, into a draft markup of the bylaws. We also talk about several other changes to the bylaws to bring the affirmation over.

We're also having a face to face meeting in Istanbul in two weeks. I'm happy to take questions on the accountability CCWG or to turn things to Aparna or Phil to talk about the CWG.

Go ahead Ron.

Ron Andruff: Okay Steve, just a quick question on you said that it's a small tweak to the bylaws. John Jeffrey is whether it's a small tweak or a massive change is so low to make any change to ICANN bylaws.

Do you see that that's something that will actually slide through here or do you think this is going to be held in bands where all the other things get done and so it's all done and dusted and then they'll make all these changes at one time? Thank you.

It'll be the latter Ron. We only have one point of leverage and that's the IANA transition. And our leverage is to convince NCIA that we have a community consensus on a whole package of bylaw changes, not just that one. So I think it'll be a package deal.

Aparna let me turn it to you. You just know - well sorry Phil Corwin and then Aparna. Go ahead Phil.

Phil Corwin: Yes. Thanks Steve. And I'll defer to Aparna on the CWG stuff. Hopefully she has more to say than I do because I've missed the last two calls. I've lost track of that.

But I did want to follow-up on and commend your efforts to move the affirmation of commitments into the bylaws which is something Fadi said he was quite open to during his appearances in Washington last week.

One of the issues that's cropped up there is whether that would include the provision of the AOC that commits ICANN to being headquartered in and subject to US law.

And there has been some push back there and then I've weighed in on the side of doing that.

I think there needs to be some certainty about that going forward and some acceptance of that if only because we don't want the fact that it's subject to US jurisdiction to be the new irritation to use Larry Strickling's term that causes various parties to immediately start working toward more change after the transition.

So and it's a very critical issue for contracted parties. It's a critical issue for designing the accountability measures which are being designed within the framework of California nonprofit law.

So I think it's - I think some people maybe want to ignore that and pretend it doesn't exist but I think it has to be confronted and accepted within this process. And I commend Steve for bringing that issue up within this context.

Steve DelBianco: Aparna, I'll turn it to you in a second. I wanted to tell BC members that I have a link under Channel 3 Item 2. I have a link to my draft of how to move the four affirmation reviews into the bylaws. And I will be grateful for any BC members providing input on that.

I'll send a general note out to the other CSG's but please let me know if you think we're on the right track there? Go ahead Aparna.

Aparna Sridhar: Hi everyone, just a quick update on the CWG. I think there is really two things going on in parallel now.

One is the group has split up into design teams to deal with particular aspects of the proposals that don't have to do with the model being integrated, sorry external or internal.

So examples of those design teams are someone to work on service level agreements, people to further refine the concept of the customer service committee.

So there's a couple IP issues I think that are - that people are discussing whether or not there needs to be a plan for .int which is currently a part of the contract is also being discussed.

So I think the discussion has shifted temporarily to kind of these smaller pieces of the overall proposal.

And then the other thinking though is that Avri Doria and Matthew Shears and a couple other folks have been working on something that's called the integrated model that they claim would be some combination of the two.

And I confess I've read their document about three times. And every time I read it I start to get a headache.

So what I've been trying to do is make one more valiant attempt at it and trying to maybe summarize for BC members over email. But I think if I try to describe it on this call you might just be as lost as I was.

Steve DelBianco: Okay thanks, Aparna. And I wanted to mention as well that in the stress test that we've been writing up I included your suggestion that upon separability of the IANA functions that we have an emergency back end registry operator to run it.

So I've had - I had that in there as one of the proposals. I do hope it makes its way into the CWG final proposal since I'm only...

Aparna Sridhar: Yes.

Steve DelBianco: ...evaluating drafts at this point. Okay.

Aparna Sridhar: Yes. One thing Steve I would just as you liaise with the CWG folks one thing that continues to sort of be of concern to me is this idea that we would have two separate independent appeal processes, one for sort of IANA and one for everything else.

And the reason I'm concerned is that you can already see disputes on the CWG list about what would fall within the IANA IAT and what would fall in the kind of appeals process that your group is developing.

So I think to the extent that you all can lean collectively on the CWG to say hey, this really doesn't make sense and it's going to lead to delay of resolution of disputes and form shopping I think that would be helpful.

Steve DelBianco: Aparna that's a great idea and we first suggested that at the meeting in Frankfurt last month.

Aparna Sridhar: Yes. And I thought you got some traction but then it seemed like it backslid since then.

Steve DelBianco: Well you know what, I don't know exactly what to do with that because then the CCWG we are wide open to the idea that the independent review panel would have a different standard for an IANA style review, a different standard of review than they would for an accountability review.

And we're happy to make one mechanism of independent reviewers with standards of review. So...

Aparna Sridhar: Yes.

Steve DelBianco: ...I'll take your warnings on notice. But the truth is that I serve as rapporteur on two of the teams inside the CCWG and I don't do personal outreach to CWG.

I'll tell you what I'll do is I'll make sure that we cover this at the face to face if it hasn't been resolved by then.

Aparna Sridhar: Yes that would be great.

Steve DelBianco: And I yes and I do hope your company will send you over to Istanbul for that. We need as many business folks in that meeting as we can get.

Aparna Sridhar: Yes I think (Sarah)'s going to go.

Steve DelBianco: Okay. All right fantastic. I think that's all I have on the update here. I'll turn it back over to you Elisa.

Elisa Cooper: Thanks Steve. I think that just about brings us to the end of our time. Are there any other items that folks would like to make sure we cover in our next call or things that you would like to bring to the attention of the group in our last few minutes?

I see (Angie) you have your hand raised?

Jimson Olufuye: Yes Elisa I want to be in the queue as well.

(Angie Graves): Yes thank you Elisa. This is (Angie). Thanks to Ron's guidance and leadership I have taken a position as the BC representative to the SCI, the Standing Committee on Improvement Implementation.

And we are looking for a new alternate to serve. If there is anybody interested I welcome an email and more than happy to share information about details of that role. Thank you.

Elisa Cooper: That's great. Thanks so much (Angie) for doing that. We appreciate that.

Jimson did you - I couldn't really hear you did you have something?

Jimson Olufuye: Yes. I just wanted to mention that the (secretariat) support is now a recurring budget line so we didn't have to request (unintelligible). I forgot to mention that that (secretariat) support is a recurring budget line now. Thank you.

Elisa Cooper: Oh great. So that means something that they've implemented on an ongoing basis. It's no longer in sort of a...

Jimson Olufuye: Exactly.

Elisa Cooper: ...trial basis?

Jimson Olufuye: Exactly yes. It's now in someone else's (unintelligible).

Elisa Cooper: Great, that's great news. Anything else from anyone?

All right well I want to thank everyone for joining today and as always if there is anything that you want to make sure we cover on our next call please let me

know. We'll make sure we set aside some time for it and I look for to speaking with you all soon. Thanks so much.

Woman: Thank you.

Woman: Thanks all.

END