

ICANN

**Moderator: Gisella Gruber-White
January 22, 2015
10:00 am**

(Tony): It started.

(Brenda): Thank you Tony. And good morning - good afternoon - good evening everyone and welcome to the Business Constituency Members Conference Call on Thursday, January 22, 2015 at 16 hundred UPC. On the call today we have Cheryl Miller - Elisa Cooper - John Berard - Michelle King – Jimson Olufuye - Andrew Harris - Phillip Corwin - Ellen Blackler- Beth Allegretti - Cecilia Smith - Steve DelBianco – Caroline Greer - Carl Schonander – Aparna Sridhar and we have Jim Baskin joining and Marie - one moment - and I have apologies from Tim Chen - Gabriela Szlak – Susan Kawaguchi - Michael Maoz - Janet O’Callaghan - Bob Heimbecker - Scott McCormick - Ron Andruff. And joining from staff, myself, Brenda Brewer.

As a reminder please state your name for transcription purposes before speaking and I’ll turn it over to you Elisa - thank you.

Well thank you (Brenda) and thanks to everyone for joining today. As usual we’ve got a pretty full schedule and I want to start off by telling you about a few things, but I also want to ask if there are any other items of business that

people would like to add to our agenda today and I'll look for a raise of hands to indicate that there's something that you'd like to also cover. Okay, so I want to start off - I want to tell you about three different things before we move into a CSG update.

And the first thing I want to tell you about is (Bobby's) Leader Meeting that he has once a month and they recently just sent you the transcript from that meeting, but I think there were kind of two big take a ways from that meeting. The first big take away from that meeting -- I felt -- was around the fact that Fadi was very clear that ICANN would not move forward with any IANA transition proposal unless it was paired with the accountability proposal and he was very adamant about that. He said that (Larry Strickling) and the NTIA was also not accepting IANA proposal without the accountability track output and so I thought that was very noteworthy and that that was probably -- to me -- one of the most important things that was discussed on that call.

The other thing that Fadi made a request for was from us - a list of three different bullet points that would basically state what it would mean to have ICANN working well or for things to be - he called it a good - a good ICANN would look like - what three bullet points would indicate what a good ICANN looks like. So at the end of this call if you wouldn't mind just sending me three things that you think would be indicative of a good ICANN that would be helpful and I'll try to consolidate that and provide that back to him. So those were the sort of two -- in my opinion -- noteworthy actions on that particular call.

Any questions about the Leader Call? Okay the second item - I just - I don't want to spend really on time, but I do want to mention recent events just to say that I realize they have been enormously time consuming and have not been focused on our purpose which is to develop policy and support ICANN

and focus on security - stability and resiliency of the internet. That said - it's a very serious issue and I'm taking it very seriously and the Executive Committee will be meeting most likely in Singapore to discuss what the next steps are. So I don't want to really - I don't have anything more to say - just that, you know, I think it's been a very time consuming arduous discussion. Any questions about that?

Okay so last (said) and then I'd like to talk to you about is ICANN Singapore. Now I sent out to you a draft agenda at the beginning of the week and we just met with the CSG EXCOM- we had a very good call with them yesterday. And we made some slight additional changes and I've received some feedback from member of the BC as well so I will try to send out an updated agenda either today or early next week. One of the things that was added during our CSG discussion and one of the things that we will be talking about with the ICANN Board and this is based on my understanding their request.

They would like to talk about those top five enterprise risks that many of you have sent your thoughts on. So I am collecting those and I'll do my best to consolidate them so that we can do a final review. So I'm not certain whether will be sort of elaborating on what we think the top five enterprise, you know, risks are or whether the board is going to ask - asking be. Because they will have already have received this information or whether they will be asking this more in depth questions about the information that we have provided in that list.

Any questions about that - so again I will do my best to consolidate those - the risks that have been sent to me unless there is anybody that would like to volunteer take that little project on. And I see no hands - okay so I will do that. So before we move on to our CSG update any questions about either the

Leader Meeting or the Singapore Meeting? Okay with that (Marilyn) are you on the phone?

Woman: (Marilyn) has not joined at this time.

Elisa Cooper: Okay. So I was actually on - I'll just give you a brief update - I was on the CSG Executive Committee Meeting yesterday and as I mentioned we basically hammered out our agenda and we'll be talking about two items with the board. One is - I just mentioned - we'll be discussing from our own perspective - from the BC perspective what we think the top enterprise risks are and each constituency is going to speak for themselves on that particular topic. But then as a group we'll be talking about issues around the IANA transition and ICANN accountability.

And so we'll be able to spend on Sunday in our closed meeting a fair amount of time discussing with the other two constituencies, you know, what are thoughts are - what our concerns are. We'll be hearing from our experts in the IANA transition and accountability so hopefully Steve will be able - I just sent a request to Steve - I'm sure he'll be happy to discuss in our CSG Meeting his perspectives and how he thinks things are going in the cross community working group.

And he has an accountability and then we'll be hearing from (Rolf) or (Rich Canoben) on the IANA transition and (grave) shot from the IPC on the IANA transition. And so we'll hear from them - get their perspective and then have a fair amount of time to discuss, you know, how we want to present that to the board.

The other thing that we talked about in the CSG Meeting was the fact that Fadi seems to understand the importance of the three different constituencies

and that we have - even though we're part of the commercial stakeholders group that the IPC - the BC and ISP's have different perspectives and he seemed to really understand that especially at the inter-sessional. And also when we've spoken with him other times and so we want to be positive and recognize that, you know, that the understanding is there so that we can have a more positive experience with the board.

So at any rate that's sort of where we're at with the CSG so I think we're making good progress. We are planning to have our Tuesday breakfast with ICANN's staff as, you know, GAC is usually the governmental advisory committee as usual - our first choice, but for the full GAC was not available so we decided to ask the At Large Advisory Committee, but they were not available either. And so kind of down to asking ICANN's staff so they will be joining us for breakfast on the Tuesday. Steve I see that you have your hand up.

Steve DelBianco: Thanks Elisa I just wanted to mention at the inter-sessional (Bobby) does what he often does - he acted concerned and shocked and acted as if he felt our pain about the CSG being forced into consolidating three constituencies. We pressed him on a little further - he didn't sort of reveal that he understood that's what's going on in the ASC so constituency leader calls. I had to remind him that when (Lisa Cooper's) on that call she's on for the BC.

And it all seemed to gel when he realized that from time to time he and management do recognize constituencies. And then he said I'm afraid it's just expediency when we have to dip into the (GNSO) - we just scrape off the top of the CSG because we think that the SG level seems to be something in common. So he acted as if he really hasn't been conscious of this problem, but his constituencies being forced to consolidate.

Steve Metalitz did a good job of asking him to fix it in the most immediate way possible which is the affirmation of commitments review team. It's coming up this year on evaluating the new GTOV Program as we encourage Fadi to solicit - representing those - every constituent that the BC would have its own instead of having one for the CSG. You know, a lot of you were asking inter-sessional - Fadi is as much as agreed to do that, but we'll have to hold him to that -let the immediate thing he can do to help us.

And the other thing we said is that every time across community working group if formed at ICANN he should dip down to the constituency level for the cross community working group - don't cut that off at the SG level. Those are two immediate things that he seems to promise he'll do in the future. Did he discuss that all on the Leader's Call that you had?

Elisa Cooper: He did talk about that there could possibly be some change in the way that we present to the board and, you know, that kind - he understood that we had the different perspectives. And that we might want to take some time to speak separately and so we're going to be doing that. So he did sort of make reference to that.

Steve DelBianco: Yes this issue of whether the CSG interaction with the board has to be changed. I'm afraid he'll gravitate to that - it's the easy thing to do. And it isn't really where we have our pain. Speaking personally - it isn't difficult for us.

Elisa Cooper: Yes.

Steve DelBianco: To come to agreement with the IPC and ISP's we take turns - each of our chairs sit at the front table. Somebody from the BC gets to talk and frankly we had something that the ISP's and the IPC didn't care about we'd still have an

opportunity to say that. But that isn't really what we want them to solve. We don't need them to change the whole structure of the CSG board interaction - at least that's my opinion.

Elisa Cooper: Okay. Since Marilyn's not on the call and you were actually at the Inner-sessional is there anything else you might be able to share that you think is note worthy that folks should know about the Inner-sessional or anyone else that was at the Inner-sessional?

Steve DelBianco: Yes, that's a great idea - I'll observe that the NPOC - the nonprofit operating constituency - that's a constituency within the non-commercial stakeholders group. They had six people show up and they're just gradually beginning to require their voice and their voice is not the same as the non-commercial user's constituencies - the NCUC. The NCUC continues to focus on requiring ICANN to respect privacy and the universal declaration on human right.

A fair use of intellectual property and copy write material - that's their agenda and the NPOC's agenda is a lot closer to the business constituency. Because the NPOC are people like the Red Cross and non-profit organizations and they're just concerned about fraud and cybersquatting as we are. They're just as concerned about security stability and resiliency. Now that's just indicates the constituency level diving down is probably going to work to our favor whenever we can make it happen.

You know there wasn't extensive discussion of the GNSO restructuring and fortunately the conclusion was that the GNSO reform - GNSO evaluations that's being done by Westlake should be expanded - should be extended. They should talk to more people - they should look at structural issues, but we're not trying to put all our eggs in that basket when it comes to getting constituency representation because that has nothing to do with Fadi agreeing

to respect the constituency representation or things like the affirmation Review Team across community working groups.

And I think it's best for us to keep those two threads separate because we can get immediate satisfaction from Fadi on one, but it will take a long time and big battle for us to change the structure within the GNSO - thanks.

Elisa Cooper: Thanks Steve. Any questions for Steve about the Inner-sessional or, again, about anything we've talked about or any questions - comments? None - give me something - come on - somebody must have a - there's no...

Steve DelBianco: BC was well represented at the Inner-Sessional and I think it could have been done in one day. We didn't have two days work of work to do, but the BC was well represented. We cooperated superbly with the IPC and ISP's and it was generally a very positive experience. Even the disagreement on human rights and privacy didn't turn to disagreeable - it was simply a respectful debate that everybody had with each other. And I have a feeling they'll be more Inter-Sessional's like this perhaps every two years. And it might well be that there would be a non-contract party house meeting on the Friday before an upcoming ICANN Meeting. Well no dates on that yet - no commitment, but if it comes up we'll be sure everybody knows in advance.

Elisa Cooper: Thanks Steve. Well I think it's over to you actually to take us into policy.

Steve DelBianco: All right - thanks Elisa. Everyone's got a copy of the policy calendar. I circulated it last night and I bet we can get through this very quickly. Thanks for putting it up Brenda. All right there are only five items that are open for public comment that need for us to pay attention to. The first is the release of territory names and the brand new gTLD's for dot BMW and dot (Ninny). Those are brand TLD's - BMW is not a member of the BC, but the point is

when a TLD operator comes up with a plan on how to release these second level names we pay attention. J. Scott was fantastic about circulating the draft back on January 12th - there've been 14 BC members who've agreed with them - Andy Abrams of Google - Jimson made a couple of tiny edits and those edits are in the attachment Number One to the policy calendar. And today on this phone call this is our last call for those of you to share your thoughts and edits to that draft because I will be submitting it tonight or, you know, or first thing tomorrow morning since the due date is the 22nd - 23rd which is tomorrow.

I'll take a queue - not necessary for folks to chime in if all you want to do is say that you agree with it - the queue that would be useful now is to understand if anybody has further changes to that first attachment that I circulated last night.

Elisa Cooper: Steve I don't know that I have any changes, but I do have a question that maybe some other members might be able to answer and that is in the agreement there's a specification that has, you know, the prohibition on the country codes and it says that you have to go to, you know, each government to make a request. Do we think that that will still have to happen?

Steve DelBianco: They are seeking the release of all the country territory names at all levels so when it says they seek the release - I don't understand how that removes the need for BMW to get permission.

Elisa Cooper: So we think they still have to go get permission - let's say if they want US dot BMW they'll still have to go to the US (rather) - some government whole authority to ask for the permission?

Steve DelBianco: I can't be definitive on that...

Elisa Cooper: Oh I see (Dave) Fares has his hand raised.

Steve DelBianco: Yes please do.

David Fares: Yes it's actually just going to be a follow up question - I mean, you know, there's been a lot of work to try and see if there could be a streamline process to get approval for the use of country code - country name - sorry - at the second level in the dot brands. And I was wondering like is - do we happen to know if they're hoping that perhaps the GAC would develop a process that would provide a overall waiver for these two TLD's? Does that make sense?

Elisa Cooper: Yes it makes sense.

Man: Can I make a comment - if you look at the page underneath the and propose this ICANN's own comment page - the one I provided the link to on this particular item. It says that the proposed release - the proposed release of the reserved country and territory names is still subject to review by the GAC. So this request has been forwarded to the GAC for consideration and the implementation in the amendment. So we're commenting on whether we think it's a good registry agreement and then we're saying that we support it, but ICANN's own staff is saying that this is not - it's guarding the GAC's ability to approve or disapprove this request.

David Fares: Right and I'm wondering...

((Crosstalk))

David Fares: ...I mean maybe what we need to do is if we agree with this be supportive with the GAC of a general waiver of a country by country approval. I don't know if that's...

((Crosstalk))

Steve DelBianco: Hey David it's Steve - you and I talked about this for years and have asked...

David Fares: Yes.

Steve DelBianco: ...about it and never seem to get the GAC to move too much. But in their Singapore communicate - this is from March of 2014 - the GAC said quote we've discussed the brand registry group proposal for streamline process under an addendum to the registry group to the approval of country names and two letters at the second level. Then the GAC stated - quote - we have no major concerns about brand owners seeking approval for such names, but the approval should be done directly with the country's concern rather than through the GAC. And the GAC noted that individual GAC members could assist with the proposals at the country level and further suggested that consideration be given to establishing a registrar of countries. They do not require that individual requests be made. I know - I know - I know - it's really moving along...

David Fares: Well Steve as always you're totally on top of the issue. Thank you.

Steve DelBianco: But David I wish I knew more about it - if you follow the link to the underlying page we cannot force the GAC's hand on this...

David Fares: Yes.

Steve DelBianco: ...but I believe that it's constructive because if BMW is able to get this through it'll probably lead to this streamline process that you're talking about.

David Fares: Right. Okay thank you very much - sorry.

Man: (Unintelligible).

Steve DelBianco: Any other comments or question on (Jay Scott's) original draft? Okay let's go on to the second one then - if I don't hear from people by COB today I'm going to format that comment and submit it on behalf of the business constituency. All right second item is the translation and transliteration of contact data. There was a PDT initial report that came out - these comments are due February the first - now Susan Kawaguchi circulated some ideas for BP comment - that's the second attachment to the policy calendar.

(J. Scott) - (Angie) - (Marilyn) and (Jimson) had sent - sorry - we need to show help from BC members that are familiar with access to who is. (Tim Chen) wrote this morning to say that he would like to help, but I don't believe he's able to be on the call. We need help from others as well - are there any comments on the translation and transliteration contact data? David Fares I see your hand up.

David Fares: No sorry that was from before - I'll put it down.

Steve DelBianco: Okay. So BC members those of you who have experience with who is data where you need to go in and read who is data - have access to it and contact people. Whenever you've had to do so where the registrar information of who is comes from another - a nation that doesn't use, for instance, the Latin script - it's using a language other than your native language - if that has presented challenges to you in the past then that's precisely the kind of experience that

would make you a valuable contributor to this draft. Anyone on the call every had an experience it'll be helpful there. Okay seeing and hearing no additional input what is on the screen in front of you is Susan's sort of rough draft - now a lot of you know Susan Kawaguchi departed Saturday morning for two weeks in Antarctica and she is beyond radio contact down there.

She gave us sort of initial starting point, but she by no means represented that this could be the finished product. We are going to need some help to turn this into a finished comment by February the first which is really just a week away.

((Crosstalk))

Steve DelBianco: Go ahead please.

Man: I'm happy to help. I'm driving right now so I can't chime in, but I'm happy to jump back at the (mall).

Steve DelBianco: That's fantastic - I really appreciate that.

Man: Sure.

Steve DelBianco: Could you read Susan's draft when you get a chance - comment on it and do a reply all - you could put.

Man: Will do.

Steve DelBianco: Thanks. Hey third item up is the who is accuracy - that the pilot study - was done on the accuracy of who is - that pilot study report came in (unintelligible) until the end of February. We have some time and Susan

Kawaguchi promised me she would work a little bit on it. She knows this topic extremely well. She's going to work on it and her draft will probably be available a day or two after she returns from Antarctica. She was thinking roughly the first of February. At that point we have a lot time - three solid weeks for other members of the BC to chime in and that's where (J. Scott) - (Angie) - (Marilyn) and (Jimson) all said they would be able to help.

So to the BC members I would say please read that pilot study report so that when Susan's comments come in late next week you're in a good position to agree or supplement what Susan came up with. Any points on that - thanks. Number four is the initial report on the (GNSL) policy and implementation working group. (Jay Scott) shares this event - shares this working group. (Jay Scott) I don't see you listed on the call so anyone else in the BC that's been familiar with the (GNSL) policy versus implementation working group? It'd be a good time for you to share your insights and volunteer to help draft BC comment.

Well those of you who are reaching for your volunteer hands I'll remind you that this working group came about as a result of the episode we had with the straw man proposal on (rights) protection mechanisms. This was Fadi's first month in office - a lot of us from the BC - the IPC and ISP's came to him with a list of improvements that needed to be made. The RPN's and the new (GGLD) program and Fadi was persuaded that we had a really good case.

So he came up with the infamous straw man which gave us, you know, a significant portion of our improvements, but it really stimulated controversy in that it was an implementation change that may or may not have matched with the underlying policy. Hence the launching of a whole new dialogue on how do we translate GSNL policy to staff implementation as a general topic. And that's what this is all about - BC doesn't (land) a stake in this one. And

we have a volunteer to help Susan - to help (J. Scott) with his reply on this one. All right we'll have to come back to you all on that. The final item for public comment is a proposal that seems to be led by staff as a reaction to complaints that come in from smaller registrars. What staff is considering is reducing or eliminating...

Elisa Cooper: Steve I see (Ellen's) hand - I see (Ellen's) hand raised.

Steve DelBianco: Great - sorry (Ellen) - go ahead.

Ellen Blackler: Sorry - this is (Ellen). I was trying to say that I would help out on the who is pilot study report. I realize it's one issue behind, but I was having trouble with my hand.

Steve DelBianco: Hey (Ellen) a volunteer that's one issue behind is still ahead of everyone else - thank you very much. Thanks' (Ellen). All right I was on the Number Five so a number of registrars want ICANN to reduce or eliminate the requirement for commercial liability insurance which is currently in the RAA. Those comments don't close until March. We'll have time to revisit that later one.

But the business constituency worked hard on getting a stronger RAA. But in this case we better take a look at whether this commercial liability insurance could affect us as registrars which would be our main interest.

It might also affect us if we're looking to some data that registrars are holding, data like Whois right? If they're - if a registrar is unable to do the relay and reveal on a proxy service that it's offering they're supposed to assume liability for the conduct if it was unlawful conduct.

Well what good is the assumption of liability if they don't have the money to satisfy a judgment? So I'm no lawyer but it sounds to me like if you're going to take liability then you damn well better have liability insurance to be able to pay damages that are due.

Do we have anyone who's experienced with commercial liability particularly by registrars who could volunteer to help the BC on this one?

Elisa go ahead.

Elisa Cooper: I do. Yes I yes, I think of course we don't want any change and perhaps we want more.

Steve DelBianco: Yes that'd be one way to go. Another is to potentially look at special cases of registrars where there could be some scale of liability coverage that's required perhaps based on the region of the world that they serve or something like that.

I have a feeling this is going to end up being a developing nation initiative that'll be done to help them as opposed to worrying about the needs of registrants and businesses that are trying to protect our customers.

Elisa Cooper: Okay.

Steve DelBianco: Anyone else able to help Elisa and I on this?

All right let me move to the second channel on this policy calendar. It has to do with council. So (Gabby) served her last council and we'll hopefully be confirming. Phil Corwin is our next counselor.

(Susan) is in Antarctica. And so neither of them are on the call to discuss things today.

The previous GNSO council meeting was the 15th of January. I gave you a pointer to the transcript. And (Gabi) reports there were no motions approved by council, nothing we need to cover there and that the chair is currently making some small revisions to the letter about the NonCom changes.

And this is a letter that John Berard drafted for the council based on the BC's extensive comments. And (Gabi) says that Jonathan Robinson's making a few changes but it looks as if the good work that John did is still going to carry through.

The other council issue is that there's a meeting next week, so January the 29th. But as of today there's still no agenda or motions posted for that. So it's hard for us to prepare too extensively for it.

Any questions about council? All right, so Channel 3 which is other elements of interaction in the CSG.

What I've noted for you is that here in Washington the Internet Caucus Advisory Committee is holding a State of the Net event. And on next Tuesday there's a panel they just added called the IANA Transition.

I'll be on that panel, Larry Strickland is speaking. (Milton Ula) will be on it, a congressional staffer as well and Theresa Swinehart from ICANN. For sure it'll be transcribed or captured on video. And I'll circulate that as well.

Now there are two cross-community working groups that I can give a very brief report on. One is the Cross Community Working Group on ICANN accountability. We call it the CCWG.

And this is - this was done in response to all of us demanding that ICANN allow the community to define the accountability instead of having it be a topdown structured limited process managed and controlled by ICANN staff and management.

After we got that David Ferris worked on the group that drafted our charter. And the charter includes the BC's suggestions for stress testing.

We've gone seven weeks on the CCWG and it has been grueling. The email list is overwhelming. We have calls every Tuesday at hours that seem designed to deprive me of sleep.

And we had a 2-1/2 day meeting in Frankfurt Germany this week to have our first face to face to see if we could work towards a singular list.

And the chairs are putting out a statement later today about the meeting. But you can bet that it went very well from the standpoint of those of us that think ICANN needs mechanisms to allow the community to challenge, to reverse to overturn decisions made by board or management if those decisions frustrate the will of the community, the consensus of the community.

And it was a quite intensive session. There were probably 50 people in the room, another 30 on the phone.

At the end of the two days we ended up with sort of a new direction on stress tests and a new direction on accountability mechanisms.

But the new directions look an awful lot like what the BC proposed. They look an awful lot like we had in the documents that I prepared as the (rappatore) for the new mechanisms.

But at this point we have a much greater and broader degree of buy-in from other members of the Cross Community Working Group.

Because it - and it seems that because the BC came out so early with specific measures it just took a little bit of time -- seven weeks that is -- for others to get to where we are on this process.

I circulate a mind map. It's a PDF that the chairs used at the meeting. (Brenda) if it's possible to display that I'd much appreciate it.

It's a display capability of trying to understand the requirements that we the community have for this accountability transition.

They look an awful lot like I said with the BC suggestions. It maps pretty closely to where we will go.

So I feel like if this persists we're probably in good shape.

One of the biggest controversies right now is how does the community represent itself? Is it going to just be an email list of the chairs of the ACSOs and SGs?

Is there going to be an ad hoc Cross Community Working Group, a permanent Cross Community Working Group which by the way is what the BC proposed last summer?

Or is going to be something more structured like a new oversight board or ICANN adopting a formal member organization, having members that represent the underlying Internet stakeholders?

It's too soon to say which way we're going to do on that. But at the closing of yesterday's session in Frankfurt I said that the BC wants these powers to be given to the community. But the BC didn't suggest that we had an absolute knowledge of what the structure had to be.

If a lightweight structure like a permanent Cross Community Working Group, if that can be done fine.

But if it turns out that legally that the community needs some legal status in order to be able to overturn a board decision to disapprove a budget that dump the members of the board, if we need some sort of a legal standing to do that then we need legal counsel to understand California non-profit law to comment on the structures that would work.

So, the CCWG is going to be hiring an attorney who's an expert in California corporate law. ICANN will pay for the attorney. But we in the CCWG we will be the client.

So presumably that person will be hired in the next couple of weeks and will give us a chance to move ahead.

Jim Baskin I see your hand up. I'll close this piece of it off by just saying that in Singapore there'll be three sessions on the CCWG. Two of them were working sessions on Monday and Thursday. That'll take me away from BC and CSG meetings.

But on Wednesday morning at 10:30 in Singapore there'll be a open session. So, those of us on the CCWG will field questions from the community and explain where we're going on this accountability. Jim over to you.

Jim Baskin: Thanks. This is Jim Baskin. Related to the stewardship transition activities I saw yesterday evening Eastern Time an announcement from ICANN about a Webinar.

And I was wondering if ICANN had talked about that at the Frankfurt meeting.

For those that may not have seen this the title is Webinar Invitation IANA Stewardship Transition ICANN Workshop and Webinar for Civil Society in the non-commercial sector.

And from what I can see of the agenda it is being run entirely by ICANN staff, primarily Theresa Swinehart.

I - my first reaction was that this doesn't seem like a totally good thing to happen considering that who it's designed to - who it's addressing and who's giving the presentation.

So I think it might be a little lop-sided and potentially cause some more difficulties for the transition, the CCWG in the upcoming weeks and months. Any thought on that?

Steve DelBianco: Jim this is Steve. I - I'll let Phil Corwin speak to that in a minute here. But I - you just jumped over to the CWG on stewardship. I was only discussing the Cross Community Working Group on ICANN's overall accountability.

I know that there's relationships between the two and we spent a good deal of time in Frankfurt discussing those relationships.

But this particular Webinar to educate the civil society, that never came up? I hadn't heard about it. If you wish you can maybe circulate to the BC list that Webinar and some of us can tune in.

So let me go to Phil Corwin. He might have something specific to say on this.

Phil Corwin: Yes Steve I actually had a comment about the stewardship. We're not on that yet.

So but you can go ahead and I can chime in on when we get to that part.

Steve DelBianco: Well Phil I think Jim Baskin just took us over to stewardship but I appreciate you waiting so that I could see if there's any questions that members have on this mind map of new powers for the community.

Thanks (Brenda) for putting it up. The 1 indicates Workstream 1. And Workstream 1 everyone are the items we think that ICANN has to either have implemented or firmly committed prior to the transition of the IANA function.

The notion of Workstream 1 is that we need things in Workstream 1 when we have the leverage to force ICANN to accept community oversight that it would not otherwise accept. So we're using it as leverage. And we're doing all this very openly.

The word leverage came up all the time in the meeting and the room's full of board members and staff. And everyone gets that now.

There isn't any more denial. There's no more notion of perceived leverage. They all get it.

And I heard members of the ccNSO get up and talk about the US government's ability to take away the IANA contract with a big stick is what (Rolof) said, the German Dutch folks. They call him the big stick.

So they understand the leverage. They understand why we need it to be able to force ICANN to accept accountability structures that they might otherwise resist.

So I see a couple of hands up in the queue. Jim Baskin?

Elisa?

Elisa Cooper: Do you think it would be beneficial for us to spend some time when we meet in our meeting on Tuesday to go through these in more detail?

Or I guess I'd also ask if members think it would be beneficial to do that?

Man: Elisa I'm sorry. Could you repeat that?

Elisa Cooper: Yes, yes. The question is do you think it would be, I guess, do members think it might be beneficial to spend some time going through each one of these different items in the workstream to discuss them and what they actually entail in a way that maybe Steve can provide additional color?

I don't know. I'm asking the question if members would like to spend time with that to do that?

I think I see Andrew Mack with a yes. I...

David Fares: Yes and this is David. I agree too. I think it it'd be - I think it'd be helpful for us to do that.

I think a lot of these are consistent with already with existing BC position. So figuring out...

Elisa Cooper: Yes and (Laura).

Steve DelBianco: David's right. A lot of this had to be abstracted to fit on the chair's preferred display method that you have in front of you. They like little one liners. But the BC has multiple sentences of detail behind most of the items in this list.

Phil Corwin: Steve...

((Crosstalk))

Phil Corwin: ...Phil here, two quick comments. One, I agree with Elisa that whether it's in Singapore or before be good for us to spend some time going through this chart and really understanding it.

I have one question. For me other than the specific actions that the Accountability Working Group decides need to be in Workstream 1 that the one essential thing that has to be created to supplement that in Workstream 1 is a process that guarantees that post transition further accountability measure that emerge out of Workstream 2 that there's a process by which the community can consider those and move them forward and change the bylaws

or board composition or whatever is required to implement that was second degree changes that are going to come in the future.

So is that in this chart or is that something that needs to be considered further?

Steve DelBianco: Yes it's not in this chart but it came up extensively at the Frankfurt meeting. And it was a debate about whether there had to be timelines.

At that point I said the whole point of Workstream 1 was to give us the powers to be able to execute virtually anything that fell under Workstream 2 if it was supported by bottom up consensus.

So the point here would be that let's suppose that we needed a bylaws change to allow the community to appoint the ombudsman.

Those of you who are looking at the screen you'll see it's at the bottom with a Number 2 on it. That Number 2 signifies appointing Workstream 2.

So Phil if this fell to Workstream 2 in my belief there's no need to put a date on it because the deadline is all about us the community.

Because in Workstream 2 if the community really does have consensus that we should appoint the ombudsman that a Cross Community group can come up with the bylaws change, route it to the board and then the board decides whether to adopt it.

If the board did not adopt it well then the powers we have in the screen in front of you in Workstream 1 allow us to overturn that board's decision.

So if we acquired a power to overturn a board's decision, if we get standing to file a reconsideration request as a community -- we don't have that today -- well then we have the ability to force through a change that is supported by a community consensus.

But nothing in the BC comments or anything we're considering right now says that this permanent Cross Community Working Group will pick up a pen and write a bylaw change or pick up a pen and scratch through line items in a budget.

It's really an up or down approval of something, approval or - or override of something the board did. We do not want to circumvent the bottom up process by letting this new permanent Cross Community Working Group write stuff and write policy.

So my point to you is if we have a deadline it's on us. It's not on the board. If there's a process it's a bottom up process, not a top down one.

So I'm not convince yet there needs to be a roadmap for everything in Workstream 2 because you don't need a roadmap if you have the capability and powers for trying to get in Workstream 1.

Phil Corwin: Yes, to be clear I'm not arguing for a roadmap for Workstream 2. And I'm not arguing for any deadline.

I just want to make sure that we have created a procedural framework whereby at any point in the future -- it could be ten years from now post transition if the community through the bottom-up process needs would be - there needs to be a change and it involves changes in the bylaws, the board or

anything else that there is a process available to let that happen so just to be clear on that point.

Steve DelBianco: I think that makes sense Phil but I'm going to need - probably need some help to articulate that process. And I think it'll end up being a process that is community driven. It won't be staff driven and management driven. You would agree?

Phil Corwin: Yes I do, yes.

Steve DelBianco: Cool, great. (Carl)? Can't hear you (Carl). (Carl) if you're speaking we're not hearing you and you have your hand up.

All right, while he sorts that out any questions on this chart?

Great. We'll move on to the last item I had on the list which was the IANA transition, the stewardship related item.

And Jim Baskin made a comment on this earlier about a Webinar. He's going to circulate that to the list. Phil Corwin you want to come in on this right now.

Phil Corwin: Well is this - it's about the stewardship is this...

((Crosstalk))

Steve DelBianco: That's right. That's what we're on. That's what we're on.

Phil Corwin: Yes. On the stewardship I just want to report I listened in on the stewardship. The name group - the naming group of course is the important one on their call tomorrow - I mean this morning.

And just to report on timing, they're not going to have something complete to send to the ICG for some time.

They won't have it by Singapore. They're actually discussing whether members can meet somewhere after Singapore, you know, in the region. But that was scratched. It wasn't practical.

But they're talking about having a revised proposal for the naming functions out sometime after Singapore and putting it out for public comment.

And the discussion was whether it be a short public comment period or a two-part period totaling 42 days.

So we're not going to have a final proposal from them that has community consensus till mid to late March at the earliest based on what they were saying this morning. And that's way after the January 15 or 30 deadline that were given by the ICG.

Steve DelBianco: Thanks Phil. I concur. The discussion we had in Frankfurt made it clear that there's some discussions on alternatives to Contract Co for the naming function that you spoke of.

It'll take a while for those alternatives to be evaluated. They're leaning heavily on the CCWG, the group that I'm representing us on. They're leaning heavily on us to come up with board redress, board decision overview.

And we're going to do everything we can to make that available to users of the IANA functions.

But we're being careful to stay within our charter while still being helpful to them.

And I would agree with you that this whole thing looks like it's going to be very difficult to get done before September.

There's quite a bit of speculation that we would see some, an extension of the IANA contract to accommodate that.

But nobody wants to talk about extension until there's recognition but the community is definitely committed to making this happen and that an extension is not a simple tactic of delay or a way to avoid doing the transition.

Any other questions or comments? I'll turn it back over to Elisa. (Carl) are you hands still up but we still don't hear you?

Elisa back to you.

Elisa Cooper: Thanks so much. I think from what I gathered it would be beneficial for us to definitely spend additional time.

I know that you'll be presenting to the CSG on some of the highlights of the work that has occurred related to the CCWG on enhancing accountability.

But I think if we could talk specifically about some of those items in Workstream 1 I think that would be helpful when we meet just as the BC.

With that I will actually turn it over to an update from (Jimson). (Jimson) over to you.

Woman: Okay we're getting (Jimson) on the line right now. It should be just a moment.

(Jimson): Can you hear?

Woman: There, that was fast.

(Jimson): (Unintelligible).

Woman: Can you get closer to the microphone (Jimson)?

(Jimson): (Unintelligible).

Elisa Cooper: I'm afraid we can't hear (Jimson).

(Jimson): Okay (unintelligible) can you hear me?

Elisa Cooper: Yes, can hear you now.

(Jimson): Okay. Now first off I would like to add to what Steve talked about with regards to intercessional also talk about NetMundial initiative and intercessional, of course signup, score sheets on the capability and the (unintelligible) development.

There was a consensus decision developed by all participants at the event. And that has to do with the structure of the GNSO review process.

So (unintelligible) concerning your back (unintelligible) have in our sales team I did mention too that I will present it or will discuss it with the (unintelligible).

Elisa Cooper: I think we lost (Jimson) again.

Woman: Yes we did. The operator will be calling him back if we want to stand by or - one moment.

Elisa Cooper: Oh, while we're doing that so just a couple things. I'll provide my closing remarks now.

Be on the lookout for an agenda from me. Again it will incorporate feedback from the CSG ex-com as well as input that I've received so far from BC members.

We can still in terms of our own agenda move things around. And if you have ideas, things you want to talk about we'll - I'll do my best to get those into the agenda for Singapore.

Also our next BC meeting is schedule for the 5th of February. But I know that many people will be in transit then on their way to Singapore.

So I think we're going to actually have to cancel that meeting for the 5th and then resume on the 19th of February which will be the week after we return...

(Jimson): Hello?

Elisa Cooper: ...from the before. (Jimson), go ahead.

(Jimson): Oh, so sorry. I was just talking. I didn't know I was off.

I don't know where I was when they let go - was cut off. I did talk about (unintelligible) invoicing that's the issue in (unintelligible). And Fadi's taking it off the (unintelligible).

So we are following this up with a note to Fadi. We hope that will (unintelligible) for the TLDs.

Then on (Pilar) I said we have the 3000 still in our accounts, the 3000 euros, that's why - \$3000 and three prospective members in the process of joining who are kind of (unintelligible) their memberships processes.

Then regard to operations I think we need to take a close look about (unintelligible) because some (unintelligible) processes and how we communicate in the list.

So I would suggest this be a part of our discussion of our closed-door meeting in Singapore.

And finally just as a reminder we like to also use the outreach facility of (unintelligible) in items to (unintelligible) the work of (unintelligible).

(Unintelligible). The office support of (unintelligible) in (unintelligible). But as we all know we expect to get that from Malaysia and Nigeria with prospect of this (unintelligible) so the (unintelligible) of Singapore to the (unintelligible).

So that is basically what I have to report at this moment. Thank you.

Elisa Cooper: Any questions for (Jimson)?

Thank you (Jimson) for that report. Anything else from anyone before we sign off?

All right, I look forward to seeing you all soon. And as always there will also be remote participation. And we'll get those links sent out as well.

So either I look forward to hearing you on the line or seeing you in person in Singapore. Safe travels to everybody and we'll talk soon. Thank you so much.

END