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BRENDA BREWER: Good day, everyone. Welcome to the BC Membership Call on 27 January 2022 at 16:00 UTC. Please state your name for the record when speaking for the record, and kindly have your phones and microphones on mute when not speaking. Attendance is taken from Zoom participation. We do have apologies from Marie and Jimson.

And with that, I'll turn the call over to Mason. Thank you.

MASON COLE: Good morning, good afternoon, good evening, everybody. Mason Cole here, chair of the BC. Glad to have you all on the call today. I hope 2022 is off to a good start for everyone.

We have our usual agenda today. And several members have told me they have a hard stop at the top of the hour, so we're going to try to make efficient progress today.

Are there are additions or updates to the agenda as you see it on the screen or any requests for AOB in Item 4? Okay, I don't see any hands. If there is something to raise, please let me know. Otherwise, we're going to drive right in.

So let's go to Item 2. And Steve, let me tur the floor over to you. Go ahead, please.

STEVE DELBIANCO: Hi, Mason. Can you see the screen?

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*Note: The following is the output resulting from transcribing an audio file into a word/text document. Although the transcription is largely accurate, in some cases may be incomplete or inaccurate due to inaudible passages and grammatical corrections. It is posted as an aid to the original audio file, but should not be treated as an authoritative record.*

MASON COLE: Yes, sir.

STEVE DELBIANCO: Great, thank you. All right, so let me dive into this on the policy calendar. Since our last meeting, we've had two updates that we've posted. The first was on January 13<sup>th</sup>. We filed that comment that Margie drafted for us in telling the Board why we would advise them to reject as four of the recommendations in EPDP Phase 2A. This was the subject of our minority report. It was the subject of the statement that Marie and Marie gave on Council and we voted no on EPDP Phase 2A.

When we discussed this in the past, we said it was vital that the advisory committees—GAC, SSAC, and ALAC—weigh in since the Board listens to them more particular than ,say, us in the IPC because we're two parts of the GNSO that approved the EPDP Phase 2A by a supermajority.

Well, I'm very disappointed to report that only the ALAC has done a submission. And even that was just reiterating the minority report. I don't see formal advice from ALAC, GAC, or SSAC at this time. And if the formal advice were filed—Brenda, you'll have to help me on this—but under the new ICANN website, would we see formal advice if it had come in from the ACs?

BRENDA BREWER: I'll have to get that answer for you, Steve.

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STEVE DELBIANCO:

If anyone else knows where formal advice would show up on the ICANN website. If it's formal advice to the Board, you would expect it to be on the Correspondence page. Right? "Letter from ALAC to ICANN Board."

Can anybody tell me when the Board is going to take up EPDP Phase 2A? All right. That's something else to consider.

And on our last call, you asked me to make sure to nudge ALAC, SSAC, and GAC about the looming deadline on that Board consideration. I did that right away, and I learned that the ALAC, Alan Greenberg, didn't even know there was a comment period open. And he was quite upset about that, thinking the staffer that ICANN has assigned to help the ALAC failed to tell them there was upcoming comment.

I did my best to say, "Don't worry about it. You're an AC. You have a formal, direct role advising the Board. So you're not subject to the deadline on that public comment period. You should really pay attention to when the Board is going to meet on this."

Any questions on that? Thanks again, Margie.

And then on the 19<sup>th</sup> of January last week, we filed a comment on the retirement of old ccTLDs. Lawrence, thank you again for drafting an excellent comment. I did a final cleanup and submitted it last week.

Of the open comments, I would say there are two we want to pay attention to. The first is the Five-Year Op Plan and Budget. Those comments close last next week, so this is time for us to circulate a draft. And on our last call, Tim and Jimson and the Finance Committee have signed up to create a draft comment on that. So Tim, Jimson, Lawrence,

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and team, can we get something from you by, say, no later than Monday?

Go ahead, Tim.

TIM SMITH:

My observations will come off my computer to the team tomorrow, so hopefully that will cover off a lot of the issues that we're looking at. And I'll circulate that to the rest of the drafters tomorrow.

MASON COLE:

That's outstanding. Thank you. Appreciate it, Tim. The second one up is a proposed small change to the ICANN bylaws, and it's to accommodate the fact that in the ccNSO, you may have a country code TLD in the Latin script but also have the same country code in an IDN script. Pakistan has it.

And when that happens, there needs to be an accommodation as a separate operator in some cases. Can they be part of the ccNSO? Sure. Do they vote? Does Pakistan get two votes in the ccNSO if it has two TLDs? So this proposal lets each country and territory designate which ccTLD can have the vote so they don't double vote. But they do participate.

It sounds like an imminently sensible change. It's been supported by the ccNSO, and I recommend that we, the BC, support the change to the bylaws to accommodate that. I'd like to hear your input on that. There's a lot of time, but I don't believe the BC needs to do a formal written comment. I would just like to say we support it. Any objections to that?

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Okay, great. I will bring this up again on our next two calls so you'll have plenty of time to ask questions about it. But at this point, I'm going to lead us down the path of supporting that.

Next up, I was going to turn to the NIS 2, and I see in the chat plenty of discussion on the SSAD. That's not the same thing as the EPDP Phase 2A, but the SSAD is a big part of our discussion today. I'm going to save it for the council part of the call.

Drew, are you here and can you talk to us about the latest on NIS 2?

DREW BENNETT:

Yeah, sure. Not much of an update. Last week we did have a call. It included some of our IPC colleagues, which is was good to get on the same page with them about what the talking points are. Probably good for the BC to know that that group is also engaged. Not as formally, I think, as the BC but there were plenty of IPC members advocating on their own or to their associations.

The only other thing I'd add is that, I don't know if this is on the schedule today—the agenda—but Susan's Gap Analysis on accuracy, we added a short paragraph about NIS 2 that I hope serves as kind of an update to ICANN that states, effectively, that all three approaches so far on NIS 2 include, in one way or another, proposal to enable member states to verify—or encourage member states to verify—accuracy in different ways.

And so we just wanted to highlight as part of the Gap Analysis. And actually, in support of what the GAC said in there that, clearly, European

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lawmakers see some type of gap. And our NIS 2 has a few different ways that they are considering remedying it.

So those are the only update for now.

MASON COLE: Thanks, Drew. And what would you say is the follow-up from the call we held with INTA last week and some of the IPC members?

DREW BENNETT: Yeah. INTA is proceeding with their advocacy on NIS 2. I think our talking points are aligned, definitely in spirit. They have a slightly different prioritization than us which is fine. I think it's good that we're hitting European lawmaker and policy makers on a bunch of different points. And they are engaging with outreach now with specific lawmakers. And I think that might be a next step for the BC. We're awaiting to see what are the next versions that come out of the Trilogue negotiations.

But in the meantime, also individual BC members may be doing some outreach to lawmakers and the representatives of their member states for their company nationalities where there's alignment. So kind of a little more individual engagement for now.

MASON COLE: Thank you, Drew. I really appreciate your leadership on this. Do any BC members have questions or comments on our work on NIS 2 in the European Parliament? Great. I'm going to scroll down to Council next.

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For Council, I'll turn it over to Marie and Mark. Marie and Mark, I will follow your lead on scrolling through. But you'll note that the SSAD and the Operational Design Assessment, I have all of that covered in a more extensive session on what have published in the ODA. So right here in the middle is when we'll pick that up.

Marie and Mark, over to you.

MARK DATYSGELD:

Thank you very much, Steve. Marie is unfortunately unavailable today and I'm sorry to say that my head is still a little fuzzy recovering from COVID right now. So I will make this pretty brief. I highlighted in the chat today's session, GNSO Council and ICANN Board consultation on SSAD ODP. I recommend that everybody attends because this is pretty much where the Board has been directing us.

You may note in a recent letter that Steve has the link to on our calendar where ... If you want a summary of the letter, it basically says, "Dear Philippe. This whole proposal is very expensive. We don't know what to do." That's the gist of it. So this consultation will be pretty important for us to attend. So please register in case it happens.

Apart from that, we're finally kicking off, as well, the small group on DNS abuse within the Council. That's me, Greg from Rr, Maxim from Ry, Sebastien from Ry, Thomas from ISPCP, and Wisdom from NCSG. So we should start meeting very soon. And over the next few months, I'll bring some updates you. But I think that's a very good development that the GNSO Council's actually acknowledging this team and that we'll be able

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to actively engage with is over the year. Looking forward to bringing more about that.

And see as Steve has further discussion on the highlighted subjects, I will leave this in your capable hand, Steve. Thank you very much.

STEVE DELBIANCO:

Thank you, Mark. And as you participate in the discussions, pull the microphone a little bit closer. It's a tiny bit hard to hear you.

So Item 5 on last week's Council meeting picked upon our extensive discussion on SSAD. That's the Standardized System for Access and Disclosure which came out of the EPDP Phase 2 as distinct from EPDP Phase 2A. Okay? But the same BC members. That as Mark, Margie, Alex, and I, and Brian all working hard on this with Marie's help.

And we discussed this two weeks ago that ICANN Org came back and said it would be several million dollars to implement an SSAD that we voted against because we felt it was not worth the cost and it wouldn't be that useful without out mandatory disclosure or a mandatory discussion between legal and natural persons, and without an improvement in accuracy.

In fact, if all it was going to be was a ticketing system, keeping track of requests that were made and when they were responded to, Alex Deacon led us with a proposal that ICANN Org could simply repurpose their existing Salesforce software tool into a ticketing system. And we have all said there is some value to a ticketing system because it would enable us to have data showing how many times requests were made



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for disclosure, and we would be able to measure the frequency and the delay in getting a response.

So I'm always happy to have more data, but it shouldn't be \$100 million to build a system like that. It should be one-tenth of that. So we did, in the last meeting, recirculating Alex Deacon's proposal for using Salesforce for a ticketing system. Marie and Mark circulated that to the council list.

Okay. So what's happened since is that, just on Friday, ICANN Org put out a blog. Just on Monday, ICANN's Board wrote to the Council regarding Phase 2 next steps. And here are the important ones.

The Operational Design Assessment, or the ODA, was published and it includes a statement that Org believes that the SSAD recommendations are in the public interest. But however, the Board may have additional considerations before deciding. So the Board has not decided. And today, there's a consultation between Council and the Board.

Mark, I'm going to re-paste your point into the chat so it's the latest thing in the chat. And tell us your plan. So you're going to register for that and be on?

MARK DATYSGELD:

I'll be right there, Steve. Though we don't know yet how the bulk of this discussion will go. In that letter that they sent, they outlined some points and it seems very focused on coast, as you were saying. But they have been very unclear as to what exactly it wants to discuss, so it will be a very much wait-and-see type of thing.

STEVE DELBIANCO: All right. And what time does that begin?

MARK DATYSGELD: Is it 18:00 UTC, I believe? If anybody can confirm for me, [inaudible].

STEVE DELBIANCO: Yeah. So it's coming up in the next couple of hours. You can click on the link and get the registrations.

MARK DATYSGELD: It's 9:00 pm UTC.

STEVE DELBIANCO: All right. So BC members, I believe it's open to everyone. I received an invited because I'm the alternate on the EPDP. But why not register? If you're interesting in following a discussion between council and Board. Mason, thank you for joining that as well.

Exactly, Zak. It's pretty bad in the business world. And all we wanted was detail on how they got their estimate so we could understand which parts of this are expensive. Was it a reserve for being sued? Was it software acquisition? What's this about? And we don't have any information yet.

So BC members, please, if you can squeeze it in today—9:00 UTC which is 21:00 UTC today—join this webinar on the SSAD.

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The next Council meeting is not for two weeks and the agenda is not out yet. So I have other Council items in here. I have them up on the screen for you now.

Susan, I wanted to thank you and Imran. Have you come around to deciding you'll join, Susan, to volunteer for that task force? I saw Imran join the call earlier. Not sure if she's still here. Okay.

Susan, are you still with us? Had you decided whether you could participate on that Statement of Interest group?

SUSAN KAWAGUCHI:

Sorry, Steve. I was multitasking here. Too many phone calls. I can. I know I was supposed to get back to you on the 14<sup>th</sup> and I didn't. But I can do that. So what do I need to ...

STEVE DELBIANCO:

Brenda, Devan is in charge of that. Can you get to Devan and ask her to, at least tentatively, add Susan and Imran to that?

BRENDA BREWER:

Yes, I will. Thank you.

STEVE DELBIANCO:

That was the discussion two weeks ago on the call when Devan said she would make that change, but I haven't seen any correspondence since.

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BRENDA BREWER: Right.

STEVE DELBIANCO: Appreciate that. Thank you, Susan.

SUSAN KAWAGUCHI: No problem.

STEVE DELBIANCO: And Susan, while you have the floor, the Data Accuracy Working Group. Is there anything you want to report on that?

SUSAN KAWAGUCHI: Well, I presented the Gap Analysis that I sent out for review. There's always pushback from the other groups, but the statement that we use in a lot of different comments—"... the inability of Internet users to identify with who they are doing business, etc."—that just set several of the groups into a tizzy. And it sparked a half-hour discussion about, "That was totally out of scope and has nothing to do with accuracy," and everything. But we held our ground and refused ...

I was going to take it out. So I said it was BC-approved comment or analysis, and that we thought there was a definite connection between accuracy and contactability. And that's the reason for accuracy, is contactability.

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STEVE DELBIANCO: Exactly. Stick to your guns.

SUSAN KAWAGUCHI: Yep. Other than that, I'm fine.

STEVE DELBIANCO: All right. Thank you, Susan. Zak, I think you and Arinola want to do a presentation on our very next BC call regarding Transfer Policy. Right?

Mason, I took a look at your request and said we'd put you on the agenda two weeks from now for a chunk of time to discuss the current status. And maybe we need to make some decisions on Transfer Policy.

Zak and Arinola, I would ask this. In advance of the next weeks from now, make sure that you give me the appropriate materials that I can distribute to members in the policy calendar so they can do advanced reading prior to your presentation.

All right. Nothing more to report on consensus policy. So I would move now to Tim Smith to lead us through anything that's new as his CSG liaison role. Tim.

TIM SMITH: Hi, Steve. Thanks very much. I'll be brief. I'm actually having some internet problem here today. So hopefully I can stay on for a couple of minute.

I think everything that you have on the calendar here, Steve, we've discussed in the past and there's really nothing new. If you scroll to the

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bottom, we have the dates for ICANN73 for the CSG meetings that you can see on Tuesday the 8<sup>th</sup> and Thursday the 10<sup>th</sup>. So those meetings will take place.

I'll also let you know that the BC will be chairing the CSG activities through icnan74 in June, so we'll be very much involved and very much in the driver's seat. And I guess to prepare for that, we have a CSG ExCom meeting scheduled for, I think it's February 3<sup>rd</sup>. That's right. Thursday, February 3<sup>rd</sup>. So a week from today at 13:00 Eastern Standard Time.

And that's really all for now. I guess when we come out of that session next week, we'll have more to report about priorities across CSG and our plan for the year. And that's really it, Steve.

STEVE DELBIANCO: Yeah, Tim. Thank you. I would ask this. Do you have an agenda for the CSG ExCom meeting?

TIM SMITH: Not at this point. We're in the process of putting that together. But we will before we go into that meeting, of course.

STEVE DELBIANCO: So that if you have any questions for your fellows ExCom members or the whole BC private, but sure to send out a note to BC private so we can feed into you any input you need going into that ExCom meeting.

TIM SMITH: Sure. Thanks for that, Steve.

STEVE DELBIANCO: [inaudible].

TIM SMITH: Of course. Thank you.

STEVE DELBIANCO: Ordinarily, Tim, what will happen is [inaudible] topics we discuss with the Board, which plenaries should we participate in. So it requires a little bit of thinking through on the topics. You can bet that “what to do with the SSAD” is an important topic. And DNS abuse remains essentials. So those are two, at the very least, you ought to have on the list of BC priorities.

TIM SMITH: And they are. And I was sort of thinking, seeing as how we have a BC ExCom meeting next Tuesday, I thought that we’ll be discussing some of these things in more detail in that point as well.

STEVE DELBIANCO: Thank you. Any questions for Tim on CSG? And thank you Brenda for, in the chat, filling us in. I appreciate that.

All right. Let’s turn it back over you, Mason, for the rest of the meeting.

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MASON COLE: Thanks, Steve. We're well ahead of schedule, so excellent work. Any follow-up from any members on Steve's policy report? Okay, it looks like the queue is clear.

All right, let us proceed. Brenda, if you can put the agenda back up, please. Let's proceed to Lawrence with his update on finance and operations. Lawrence, over to you, please.

LAWRENCE OLAWALE-ROBERTS: Thank you, Mason. Good day, everybody. Please, Brenda, could you give me some ... All right, thank you. I see that's done already. Just a minute. I would like to ...

All right, so I would like to start my report with some open ICANN community announcements, most especially for those BC members in the African region. There is a DNSSEC survey that is currently open and ongoing. CcTLDs, gTLDs operators, and most especially those in the Internet service [provision] business are requested to provide some information. And this is open until the 14<sup>th</sup> of February. It will be nice if we can circulate this also amongst our networks to ensure that they have some very widespread and good information.

Secondly, registration is open for the ICANN73 Virtual Meeting. The dates have been modified a bit. Rather than starting on the 5<sup>th</sup> of March, it's now going to be on the 7<sup>th</sup> until the 10<sup>th</sup>. That's about four days. And we can now register and begin to keep track and work our way towards preparing for this meeting.



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Traditionally, it's now becoming like a BC tradition that the BC's open meeting will hold during the time [inaudible] allotted to the BC, especially where we have just one open meeting slot. But where there is more than one, then I'm sure that we will use one of that to host a closed BC meeting. More information with regards that will be made available as we draw closer to the meeting dates. But right now we can begin to register for the event.

Also important to note is NomCom applications being open. So at this point, applications are being received by the Nominating Committee, and this is going to be open until—if the date doesn't change—the 11<sup>th</sup> of March. Within this round the Nominating Committee is looking to fill three Board seats—one PTI board seat, two At-Large seats; one for north America and Europe. And they are also looking to fill the non-voting seat for the GNSO Council and ccNSO.

I'm not sure if we have Tola or Scott on this call. This would have been a good opportunity to provide some more insights to what to expect from the Nominating Committee this round. But if you're on the call, you can always interject and say a thing or two.

We have our outreach plan out there already. It can be found on the BC's website, [icannbc.org](http://icannbc.org). It's right there under the [communication.] We still have some funds that that we have allocated for travel for members, travel for outreach purposes, accessible. So for members who want to do outreach and might need to travel to those locations, we have about \$3,000 left [inaudible] and we would encourage you to put a proposal across to ExCom if you would like to do outreach for the BC.

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I will be updating slate of membership. What we have here is in the current update. We are inching close to 70. Thanks to the Credentials Committee for doing a great job. A few applications are being worked on, and I'm sure that once the applicants [report] back to the Credentials Committee, we will be able to see those applications through.

Members know that we submitted three proposals for Additional Budget Requests. One for ICANN Learn, another for the regular support we get for outreach materials, and the BC Leadership Program. We are hopeful that we will get continued funding for these projects. They are proposals that we have submitted in the past. We are hoping that we'll get additional funding, continuous funding for these projects.

The BC, in preparation for ICANN73, is seeking members' inputs into the production of the next edition of our newsletter. We want to encourage members to please submit articles for consideration. We would also want to have submissions from all the BC committees, aside from Finance, the DNS Abuse, Credentials, Communications, and possibly Onboarding Committee [inaudible].

It will help to scribble something down that we can post about the work of the committees—their mandates and remit within the BC and how they help the work of the BC. Submissions are open until mid-February and we're hopeful that we'll have contributions coming before then.

We will have two open seats on the Communications and Onboarding Committees. We want to bring this to the attention of member who are interested. Please, you can indicate your interest by sending me a mail

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and I will guide us on the procedure and the process towards onboarding us into those seats.

I would also want to bring to the attention of members that, in the budget for FY22 which we are currently running, we have set aside some funds for BC's study and research. We have a BC study and research funding where we have reserved \$10,000 for studies. This has been used in the past with studies that have provided very helpful information to the BC. So I want to ask that members help also put some consideration behind this so that these resources can be utilized.

At this point, I would want to stop for anyone that has a question. I'll take those questions. Otherwise, I'll yield the floor back. And nice to see Zahid looking all right in today's meeting. [inaudible].

Over to you, Mason, if no one has a question.

MASON COLE:

Thank you, Lawrence. Good report, as always. Questions for Lawrence? Or comments. All right. I don't see any. Yes, indeed. Let me just say thank you to Zahid for joining the call today. It's nice to see you again, Zahid. Good to have you back in the BC fold. So hope you have a productive trip to the U.S.

ZAHID JAMIL:

Thank you.

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MASON COLE:

Yep. Waving at everybody. Thank you very much. Good to see you.

All right, ladies and gentlemen. We are way ahead of schedule today, so is there any issue to raise or other business for today's meeting? All right, we have a chance to end well early today.

Just a couple of things. One is, our next meeting is scheduled for Thursday, February 10<sup>th</sup> at the usual time. So we'll see you there.

And then I just want to encourage everyone, if you can make it to the SSAD call today which Steve pointed out is, I think you said 21:00 UTC, Steve. Is that right? Okay, yeah. Please join if you can.

Brenda, you have your hand up. Please go ahead.

BRENDA BREWER:

Thank you very much. Just as an AOB, we are starting to work on the ICANN73 newsletter for Business Constituency, so please consider any articles that you'd like to add to that. I'll be sending an e-mail out later today with how to submit your articles for the newsletter.

MASON COLE:

Thank you, Brenda. That would be great. Lawrence with Brenda's and staff's help always puts together a really good newsletter, so we could use your articles if you have topics that you'd like to cover. So look for Brenda's e-mail on explaining how to do that.

All right. Other business for today? Okay, it looks like we're going to be able to conclude early. So I will yield 24 minutes back to your day.

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Thanks, everybody, for joining. And we'll see you on the SSAD call later today and then at the BC meeting in a couple of weeks. All right, everybody. Have a good day. Thanks for attending.

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