
DEVAN REED: Good day, all. Welcome to the BC Membership Call on the 13th of January 2022 at 16:00 UTC. This call is recorded. Please say your name for the record when speaking, and kindly have your microphones and phones on mute when not speaking. Attendance is taken from Zoom participation.

Turning the meeting over to Mason Cole. Thank you.

MASON COLE: Thank you, Devan. Good morning, good afternoon, good evening everyone. Mason Cole here, chair of the BC. Happy new year to everyone. Good to have you on the call. Thank you very much for joining the first BC call of the year. We have 60 minutes today and our usual full agenda. You can see the agenda on the screen. Does anyone have any updates or requests regarding the agenda? Okay, I see no hands.

We're going to dive right in because we have a lot to cover. Steve has a very busy policy calendar. So Steve, the floor is over to you, please.

STEVE DELBIANCO: Hey, everyone. Happy new year. First up, as I go through the comments that have already been submitted, I'm going to allow Zak, Jay, and Andy Abrams to talk about the highlighted text on the screen which was a late-breaking change in what's going on with the Curative Rights International Governmental Organizations. The three made a quick

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comment for clarity, so I would invite Zak and Andy. You're both on the call. Tell us what that change was. Zak or Andy?

ANDY ABRAMS: Zak, do you want to go ahead?

STEVE DELBIANCO: Go ahead, Andy.

ANDY ABRAMS: Okay. Basically, this was a compromise position where the IGOs ... They don't want to admit that they are waiving their right to challenge their immunity. So we're essentially trying to walk that fine line where they are permitted to still challenge any sort of court case that's brought against them on the basis that there's no jurisdiction against them. They still have immunity.

But at the same time, we want parties to still be able to bring that challenge. And so we're essentially leaving it up to a case-by-case basis. We're not fundamentally changing that rule in the UDRP, but there is sort of essentially this appeal mechanism. So we're allowing IGOs to participate without explicitly waiving their immunity. I hope that makes sense.

STEVE DELBIANCO: Yeah, it does. And you guys were comfortable with that as a compromise and [you] think it's going to get through.

ANDY ABRAMS: Zak would know better than me because he's participating in the group. But I think it's a pretty reasonable compromise, so I hope it does.

STEVE DELBIANCO: Zak, anything to add?

ZAK MUSCOVITCH: Hi, Steve. Sorry, I just had some audio technical difficulty, so I missed most of what preceded this. But in terms of that compromise solution, the compromise solution that Andy crafted, to me, is eminently reasonable eminently reasonable. And it will be very interesting to see if it's accepted by the working group because it does offer them an elegant resolution and maintains the interest of both parties to this ongoing intractable dispute about how to approach this.

So I'm very optimistic. I'd like to see it work. And thanks very much to Andy for coming up with this solution. Thank you.

STEVE DELBIANCO: Thanks, guys. Any questions? Appreciate it. Next up is a comment that I thought would have been filed by this morning, but ICANN extended by seven days the very first comment on the ccNSO's proposal about how to handle the retirement of ccTLDs like SU for Soviet Union. Right? When that gets retired, what this the process by which registrants are protects? For how long and what process?

So I want a big thank you to Lawrence for drafting a BC comment. I'm going to display it right now. I sent it to all of you several days ago. And this is an opportunity, the only opportunity, for BC members to review and discuss Lawrence's draft. Yes, the points that you see on the screen, seven points. You've all received it.

But Lawrence, I wanted to give you an opportunity to take questions from members or to comment in any way you wish on what's on the screen. You tell me how to scroll and I'll do that, Lawrence. The floor is yours.

LAWRENCE OLAWALE-ROBERTS: Thank you very much, Steve. So in order not to waste too much time around this, the ccTLDs, Country Codes, are more or less semi-autonomous within the ICANN environment in terms of policies and governance. As such, not all ICANN Compliance briefs or directives are mandatory on the Country Codes. Another unique thing about the CCs is the fact that quite a number of models are adopted in the process of managing and operating a ccTLD. Some countries decide to engage third parties, which could also be some business, to run their country codes.

This informs what we have as a second point in this particular comment which I think is very key to business and—

STEVE DELBIANCO: Lawrence, I wanted to compliment you because that second point is something I had missed earlier. And you really created a stress test because even if the operator themselves, the country code manager,

says, “We’re willing to stay up for two years,” what if all of their contractors said, “Screw this. We’re done”? And I don’t know how they’re going to solve that problem other than to have failover agreements. But I wanted to compliment you on bringing that up as a concern. Thank you.

LAWRENCE OLAWALE-ROBERTS: Thank you. So basically, I think that is one key concentration on, like Steve has said, how ICANN will decide to manage such a scenario. There’s also the possibility that a country could have its name changed. Not particularly—like we had Zaire. Zaire returned to Democratic Republic of Congo and had their TLD changed. And it’s possible that for some interests, you might want to keep those domains running.

So at any point, there were also two points that we had made in our earlier comments as the BC that ICANN responded to. One was the fact that it was out of the scope of the working group’s remit to define the means around how those challenges will be mitigated. We’re putting that back on the table and asking that, at least, there’s supposed to be some documentation and agreement. And as such should be effectively stated. [One of such] is the fact that once a ccTLD is going to be retired, they shouldn’t be allowed to take new registrations just to ensure that the time frame for exiting is met.

That will be all. In case there is any question around this, I will be willing to take all. Or maybe members might want to share their thoughts. Thank you, Steve.

STEVE DELBIANCO: Thank you, Lawrence. It's a great draft, and this is on top of everything else you do for the BC on administration and finance. BC members, this is your chance to offer comments or questions for Lawrence on this. It will be filed on the 18th. So you still have a few days to comment on it, and this is the perfect change to talk to the drafter.

Mason suggests, "Great work, Lawrence."

LAWRENCE OLAWALE-ROBERTS: Thank you, Mason. Thank you, Steve.

STEVE DELBIANCO: Okay. Thank you very much, Lawrence. We appreciate that. And we'll go back to the general policy calendar. If we don't get further comments from members or if you don't have further edits to what you submitted, I will file it on the 18th.

All right, let me move into the open public comments. We have two that are open right now. The EPDP Phase 2A policy recommendations are up for Board consideration right now. Comments close today and I will be filing this today. And the IPC had requested to join the BC comment. Margie put this together. Mark approved it. And it reiterates what we put in our minority report and that we reject all of the recommendations made in Phase 2A.

So it's strong but it isn't going to be considered to be new. And my biggest concern ... No, not concern. My biggest disappointment would

be that the Board could say, “Well, look. This came out of the GNSO with a supermajority so we have two parts of the GNSO who don't like it—the BC and the IPC. So naturally, they're going to complain because they got outvoted.”

What would be so helpful is if the GAC, ALAC, and SSAC who are advisory committees who are supposed to advise the Board, if they weight in. I learned last night that ALAC didn't even know this was on the list. Alan Greenberg told me that the staff members who support ALAC had not even told ALAC that this comment period was open. But Alan is going to do his best to get something in from the ALAC.

I got no replies from the SSAC. And Jeff Neuman who is the liaison between the GNSO and the GAC, I've asked him, “Do you think the GAC is commenting?” And he said he hasn't figured out whether they will comment.

So if the three ACs do not give advice to the Board, I don't think we have a chance here. So I'm being a little bit dark, but I'll hold out hope that the ACs will do something.

Is there any comment you want to add to that? Margie, do you want to add anything to the comments you've drafted? I could display it if you wish.

MARGIE MILAM:

Hi, everyone. No, I think you've captured it. It's, I think, disappointing that the staff supporting the advisory committees weren't really letting them know of this deadline. It's hard with the holidays, I think, to get

people's attention. So perhaps we should just send a copy of what we've put together to them. And sometimes the advisory committees could ask for extensions. But it doesn't look like, given the timeline, that much will happen.

STEVE DELBIANCO:

All right. Question for you. We're going to close this off this afternoon and I'll file ours through the public comment process. And thank you, again, for drafting. At the same time, we can push it over to the ACs. And I don't think they're bound by this cutoff. They can give advice to the Board in a bilateral, direct way. They don't have to run it through this process. Right? The advisory committees provide their advice directly.

MARGIE MILAM:

Yeah. That's correct, Steve. Absolutely. They're not limited to the timelines of the public comment period. So perhaps that's something that we should at least reach out to them and find out whether they're considering it. Because I do know that, obviously, they had an interest in the topic and spent a lot of time working in the EPDP. So it certainly would be consistent with their past positions on this.

STEVE DELBIANCO:

Okay, so I'm going to write to Laureen, Alan, and then Rod Rasmussen. And I will cc you and Mark and Mason, and maybe even Alex Deacon, to see if I can generate something. And since it's going to be a joint

comment, I think I should probably cc the IPC people as well. Does that sound right?

MARGIE MILAM: Yeah, that sounds great. Thanks, Steve.

STEVE DELBIANCO: Thank you. You did the work on this. Appreciate it. BC members, any comments or questions on our draft which is going to be filed today? Excellent.

Next one up is an open public comment that closes quite a ways out on February 7th, and it has to do with ICANN's Five-Year Operating Plan and Budget. In February 2021, a year ago, we commented on their Five-Year Plan that was put in last year. Tim Smith and Lawrence did the work with help from Jimson, Tola, and Kileo. I need volunteers from our Finance Committee, usually, to draft a comment on this year's plan.

TIM SMITH: Hi, Steve. I'm not any longer on the Finance Committee, I don't believe, for this year. However, I have been attending the SCBO meetings for the GNSO and therefore have been doing some of the review of the documents. So, happy to contribute. Perhaps not lead, but I am collecting observations about the budget and will be happy to share those with other volunteers.

STEVE DELBIANCO: Thank you, Tim. I note that Jimson's on the line. And Jimson, wondering if your schedule would accommodate putting a couple of hours in. You've been our leader on this for over 10 years.

JIMSON OLUFUYE: Yeah. Thank you, Steve. I will support the lead. That is our chair of finance. Thank you.

STEVE DELBIANCO: Thank you very much. Anyone else who can help?

LAWRENCE OLAWALE-ROBERTS: Yes, Steve. I'm sure we'll have a draft. We'll circulate a draft in the days ahead, hopefully maybe in the coming week. And—

STEVE DELBIANCO: You can take your time, Lawrence, because I know you've been busy. So take your time. We don't even need to get it to our members until the end of January.

LAWRENCE OLAWALE-ROBERTS: Great.

STEVE DELBIANCO: Thanks, all. All right, next item up. Do we have Drew on the line? We do. Drew, I'm going to turn it over to you in a moment. We can tee it up with what you see on the screen which Drew worked up to capture the

history, capture what we did in December, but really importantly, what are we going to do in Q1. So Drew, I'm going to turn it over to you to talk to BC members about how we can all support the leadership that you've given on this issue. Go ahead.

DREW BENNETT:

Thanks, Steve. And not a ton of news coming out from Europe from the EU trilogue bodies over the holidays, obviously. So I do actually encourage everyone to just kind of read through this link-rich summary we've got and the key pieces there.

Steve mentioned the letters we sent just before the holidays to the Council of the EU, the European Commission, and the Parliament. Three basically identical letters and the text just kind of stating our general position now that we have kind of seen ... It was effectively kind of two drafts of what will eventually be legislation after compromise through the negotiations.

So take a look at that. Mason and I are actually going to go, with some others, and kind of draft just some brief language following up with those folks. They received the letters. We did not receive any response back, but we kind of want to start a more iterative engagement with different key representatives of the parties. And so we'll be starting that process soon, and we'll have more news for you when we come back.

And then that summary that Steve mentioned there at the end, I think is good also to understand the main points that we're going to be engaged on in that iterative process. And if folks have anything they want to add to it, let us know and we'll be reaching back out as we perhaps draft

more letters or have more tangible engagements that we'll need your support on. Thanks.

STEVE DELBIANCO:

Yeah, Drew. The key word for everyone in that summary paragraph is the word "not." We have not been satisfied on these points in the NIS 2 drafts, particularly from the Council. So at this point without anything changing, we are not going to be very satisfied with what NIS 2 comes up with. It will not meet our expectations and hopes that it would course correct for GDPR and give us the justification to reopen the whole EPDP because of new legal clarify on obligations and GDPR interpretation.

So we had hung a lot of hope on NIS 2 to drive things, but the way it's headed right now, NIS 2 is not going to provide relief. I don't know whether other governments, U.S. included, are going to enact legislation that contradicts GDPR. That's a big lift and will take some time, and I know the Biden administration here in the United States will not support a congressional effort to undermine ICANN or contradict its European allies.

Having said all of that, there might still be hope and we won't give up. Right? We'll just keep pressing ahead. But things do not look promising for us right now for us to right the ship on what's happened with the EPDP.

DREW BENNETT: Yeah. Well, you've got a hand from Mason. But I just want to say quickly, first of all, it does have a little ways still to go. I think we expect this negotiation process to take at least a quarter or perhaps the whole first half of this next calendar year. We don't know exactly what version is going to come out. That's what we're going to be working on.

And, yeah, still unlikely that we would be completely satisfied. Fundamentally, though, we are adding into the kind of environment for European state-level regulators. I think a very important document and guidance. And I think even if we don't get exactly what we want, still, because of the authority that they have, I think an enabler for different member state levels for us to be able to have the side of governments to extract what we do want eventually from contracted parties who are [inaudible] withholding WHOIS information.

STEVE DELBIANCO: Thank you, Drew. Mason, your hand is up.

MASON COLE: Thanks, Steve. I just wanted to alert members that it looks like on January 26th there's going to be an ICANN webinar on another piece of privacy legislation that is moving forward, this time in Canada. And I encourage you to listen in on that webinar. I know I will.

This is the latest in more government activity and privacy and things like GDPR. So we're going to see more of this governmental activity. There will be future opportunities for the BC to weigh in on governmental activity, and it's something we need to keep our radar attuned to. So

heads up that on January 26th, there will be a webinar and this is a piece of legislation that we need to pay attention to.

STEVE DELBIANCO: Margie.

MARGIE MILAM: I just wanted to echo what Drew said, and I don't think it's as negative as it appears under the current drafts. I actually do think that even under the current drafts it's a step forward in terms of addressing some of the domain name issues and the WHOIS issues. I'm optimistic that as the process goes forward, that you'll see a noticeable change in the policies that relate to WHOIS because of the NIS 2 Directive language, even in the current state. So I think I'm far more optimistic than you are, perhaps, Steve. And I'm hopeful that the efforts over the next year will even make the language tighter.

STEVE DELBIANCO: Excellent. Love to hear that. Perfect. Drew, anything else?

DREW BENNETT: No, thank you.

STEVE DELBIANCO: And I know Marie's been helpful, too, with her intimate knowledge of the European process. For instance, I only learned in the last three

months that there was such a thing as a trilogue in the European governance structure. So I'm learning a lot.

Okay, let me move on to Council, and I'll be turning things over to Marie and to Mark. What I have at the top is a quick summary of the last Council meeting. And then I put Agenda Highlights in for the meeting that's occurring on the 20th of January. We're going to want to spend a little bit of time on the SSAD ODP. So when we go through that, I'll be displaying some of the documents.

Marie.

MARIE PATTULLO:

Thanks, Steve. Anybody who wants to know about the European legislative process and the trilogue, just let me know.

First up, lovely to talk to you all. Happy new year. The last Council meeting, we also discussed on our last call. Not an awful lot of substance happened there. Now the next one is going to be next week. We have no votes.

The first part is about SubPro. Yes, Vivek, it is 10 years. You're quite right, as you put in the chat area. You guys all know that SubPro is the fancy name for the new round.

And there is this Operational Design Phase where ICANN Org goes away and comes up with the nuts and bolts of how they're going to change the report that came out of the working group into action. That ODP is officially kicking off this month. Not much that I can tell you about that. Watch this space. We'll keep you posted.

Yeah, I'm smiling about this, Steve. Okay, we had a really bizarre meeting this week. Steve had the joy of being on the first, really, bizarre meeting just before Christmas. I'm going to give you my take and then I'm going to hand it over to Steve.

Now from the Council perspective, what happened was, as you all know the Council adopted the recommendations on the SSAD—so the infamous gateway ticketing system, whatever you want to call it, for WHOIS—and it went to the Board.

And then the Board looked at it and they said, "Oh, this is hard. We're going to set up a new thing called the Operational Design Phase so that ICANN Org can tell us how much this is going to cost. So ICANN Org went away and ran this ODP and they've come up with figures on how much it's going to cost to set it up, how much it's going to cost to run, to manage, to maintain, to use.

And then they turned around to Council and said, "Okay, so we're not going to give you these figures yet. They're not going to be published until February. But although we haven't given you these figures, we think that what's going to happen is that either the Board will adopt or the Board will want to make some changes or you the Council might want to make some changes. For example, you might want to take away some of the expensive bits of the system like accreditation or other bits."

The call that we had this week with council was more or less most councilors saying, "Hang on. You want us to change the SSAD on the basis of figures that we have not seen. We kind of think we'd like to see

the figures and understand where they came from and what your justification for them is before we start changing things.”

And then I just got very confused. And I have some very personal views on what they’re trying to do here, but I’ll retain those for my personal basis.

Steve, do you want to take over?

STEVE DELBIANCO:

I think you captured it pretty well, Marie. Just before Christmas, I had circulated the e-mail which is attached where I shared pretty detailed notes on the first bizarre presentation from the 20th of December where Org controlled the mic and a handful of us asked questions. Göran, of course, was there.

And Org was setting up a very expensive \$30 million to build, up to \$100 million a year to run. And it was clear that Org was, well, Org was setting the table so that neither the Board nor community would think it was worth building an SSAD. He did talk about legal liability being a large part of it and acknowledged the fact that just a ticketing system would be a slimmer way to go.

And so that gave me the chance to really press Göran, thinking that he would have an instant answer. “Oh, so what would it cost for a simple ticketing system?”

And no answer at all because they hadn’t looked at it. So I’m frustrated. Remember, the BC asked our reps to vote “no” on the SSAD recommendations that we’re discussing here. We voted “no” because

we didn't think it would be worth it to have to pay to use and to build something where there was no obligation on disclosure. There was no differentiation between legal and natural persons, no obligations for accuracy.

But as Alex Deacon and Mark and Margie have said, if you had a ticketing system that recorded each and every request and each and every response, it would provide a rich source of data to where we could determine which registrars were simply ignoring requests or taking really long to reply. And that would allow us to focus enforcement attention as well as law enforcement and public pressure on registrars who aren't even giving a good faith effort.

So there is a tiny amount of positive value to a ticketing system. But as Alex Deacon showed, ICANN could do a ticketing system based on Salesforce software it already owns.

So very disappointed that Org didn't come back with something more substantive. And as Marie said, nearly everyone on that Council call was very frustrated about the notion of us unilaterally disarming and deciding to walk back our requests. That would be a very complicated and politically contentious process to do that in the GNSO. You have to practically reconstitute the EPDP to get them to walk back their recommendations.

So I think the ball was thrown back into ICANN's court and Org is going to have to get something back from the Board on the public interest elements. And then we'll have to take it from there. But this is going to happen in a slow and a painful way.

Any of you who want can get a webinar on ICANN has been talking about here with the SSAD on the 18th of January. You can click on this webinar link. You can all join. But do pay attention to the notes I circulated right before Christmas.

I wanted to see if there are any questions on that. And Margie and Mark, amazing to listen to the sniping that even these contracted parties were doing with respect to what Org came up with.

Marie, last item on here, Item 6. Do you have anything you want to tell us about that?

MARIE PATTULLO:

No, [inaudible]. You know that every year the Council gets together in a huddle for what we call the Strategic Planning Session. In the olden days, we used to see each other's faces and now we see each other on Zoom.

I can send you all the report, but frankly I don't think there's much. But Barbara, I see your hand is up.

BARBARA WANNER:

Thank you, Marie. And I do apologize. I didn't get the Hand Raise function up quick enough. But Steve, in terms of questions about the item we just discussed, I was very, very impressed with Alex Deacon's development of a potential ticketing system based on the Salesforce software that ICANN already has. And I believe at that meeting, Göran reacted very favorably to it. So do I understand you correctly by saying that's just off the table now?

STEVE DELBIANCO: He won't acknowledge it. It's just so frustrating, Barbara. I brought that up. I even put it in the chat the other night. No acknowledgement from staff whatsoever. So I'm frustrated about it.

Marie, I have a favor to ask. Let's pick up on what Barbara said. Would you resubmit to Council list Alex Deacon's proposal on the use of Salesforce for ticketing? If you don't have it, let's write to Alex and get the very latest e-mail.

MARIE PATTULLO: I'm sure I can dig that out, and I will resubmit with the greatest of pleasure and a nice, big innocent smile.

STEVE DELBIANCO: That's a great idea, Barbara. Thank you. Anything else? Thanks, Barbara.

Okay, let's go to other council items. This Continuous Improvement is still looking for volunteers. We can get one or even two BC reps on that taskforce. I know it might last nine months, but it is not every week. It's a relatively low amount of work, especially for anyone who has experience on Council. Do we have anyone interested to volunteer right now?

Susan has served on the Council. It would be something you could do in your sleep, Susan, but I know you're pretty busy right now. Any way you'd consider it? It's really just about the Statement of Interest alone,

of whether the procedures of Statement of Interest are right. Susan, thank you for just taking a look at it just to consider it.

So Imran Hossen has volunteered, Susan. So you wouldn't be alone. Thank you.

The next item up, Susan, while you have the floor. I know you're looking for input on the Gap Analysis. Why don't you talk to your colleagues about that? And I can display the document.

SUSAN KAWAGUCHI:

Thank you, Steve. So we're working through a scoping exercise. This is not a PDP. This is just the scope, which is developing a scope for a possible PDP for accuracy which is mostly likely going to take a minimum of a year to develop a scope.

So these are four questions that the chair has asked us to provide input on. Some of this, as you're highlighting right there, I've pulled from previous comments. The other SGs and Cs have input their comments already. They've provided their analysis. And so I've pulled from that.

If there are any other points you would like to make, we can add these to this comment. And it'll be submitted in a chart. So it's a little bit hard. I couldn't pull the whole chart and provide it to the BC. And each of the stakeholder groups—GAC, ALAC, and all the rest—are providing comments, too. Some of this is based on ... It's already been said by one of the friendly groups, and so I've either reiterated or moved on to other issues.

So, if anybody has any input, I'd appreciate it. Toba's already looked at it and agreed. He's also a member of the Accuracy Working Group.

STEVE DELBIANCO: [I really] like this one, Susan, the one I've highlighted. We can't base everything on GDPR. You have to look at other laws that require factual, accurate disclosure of people that are trying to take your money. We shouldn't just focus on business. Think about charities, too. Plenty of charities defraud people by pretending got be a relief organization when they're not. So let's include those examples, too. It's not just business.

SUSAN KAWAGUCHI: Okay. That's a good point.

STEVE DELBIANCO: Do you remember the whole red cross discussions we had where they needed to enforce their trademark protection because people would come up with different variants on the words "Red Cross"? And when a fake charity takes money from donors, those donors don't have the money to give to the real charity. And it gives all donors second thoughts about whether to give because they worry that their money won't go to the need they intended it to.

SUSAN KAWAGUCHI: Yep. And you see that happen with every disaster.

STEVE DELBIANCO: Yes, exactly. Would anyone else like to comment on Susan's submission? And Susan, tell us when you're going to be putting this in.

SUSAN KAWAGUCHI: I really need to do it soon. We're the last to submit, and each of these are discussed within the group. So the other groups will have an opportunity to comment on what we've inserted in the document.

STEVE DELBIANCO: Okay. Susan, thanks again. You have the BC's endorsement to put this in on our behalf.

SUSAN KAWAGUCHI: Okay, thank you so much.

STEVE DELBIANCO: Thank you, Susan. And as you consider whether to join Imran on that Statement of Interest group, Devan is on the phone and taking care of us while Brenda's on leave. Devan is the ICANN staffer handling this and is going to provisionally indicate that you're considering it. And as a former councilor, you'd probably be the most valuable on that group.

SUSAN KAWAGUCHI: Okay. Well let me take a look at it because I haven't paid any attention to it.

STEVE DELBIANCO: So Devan, to make things easier for Susan, will you make sure Susan has whatever she needs. I put a link to it right here. Right? Chapter 6 of the GNSO Op Procedures. But anything you can share, Devan, with Susan would help her to decide whether she can take this on.

DEVAN REED: Sure thing. I can get you an e-mail with the information that's out right now if that would help.

SUSAN KAWAGUCHI: Thank you so much, Devan.

DEVAN REED: Of course.

STEVE DELBIANCO: Great. Thank you. Zak and Arinola, do you want to update us at all on what's going on in the EPDP for Transfer Policy?

ZAK MUSCOVITCH: Sure. Arinola's not with us today, I don't think. But she's been studiously, along with myself, attending weekly hour-and-a-half working group sessions, very technical in nature involving the Registrar's internal operations.

Nothing to report now. This working group makes some others look like Indy 500 events. But rest assured, when the time comes in the next several months that there's something significant to report or a decision-making point for the BC to consider, we'll report back. Thank you.

STEVE DELBIANCO:

Zak, thank you. Much appreciated. #4 is something where I represent the BC on a small team that is reacting to what the staff came up with to try to come up with more streamlined processes determining whether a PDP starts to wander into an adjacent space where a PDP starts to consider policies that would contradict or modify previously-[adopted] policies.

It's going to happen from time to time, and this is just supposed to surface those issues early and make it more transparent rather than only discover during implementation that Recommendation 7 contradicts with a policy that was adopted eight years ago. It's not exciting stuff, but I did introduce the idea of putting stress tests to help it go better.

All right. With that, I'm going to turn to Tim Smith, our new liaison for the BC who took over for Waudu. Waudu, we thank you again for your service.

And Tim, welcome. Tell me how to scroll the screen.

TIM SMITH:

Thanks, Steve, very much. Actually, if you just go to the policy calendar, I'm just going to whip through it because most of it has been covered off before.

But before I get to that, I didn't get my hand up early enough when you were discussing the SSAD ODP. And I just wanted to comment that in looking at the budget's proposal, it's identified that the SSAD ODP use funding from the SFICR, the Supplemental Fund for Community Recommendations, of which there are \$20 million sitting there. So perhaps when we get to doing our budget public comment, we may comment on that and voice our views on our alternative proposal to the SSAD. So I just present that as something that we should perhaps identify when doing our budget.

But getting to this, yes, today is January 13. So I'm 13 days into my term as your CSG rep, and everything that's in the policy calendar that's before you has been covered off before in previous meetings, including as recently as the December 16th meeting. So there hasn't been a CSG meeting since then and the BC is now in the process of determining our near-term priorities for the coming year which we'll present to the broader CSG for consideration as mutual topics to pursue.

But that being said, there are issues that we were covering off this past year that still need to be addressed. So one would be the incomplete implementation for review recommendations—CCTRT, ATRT3, and SSR2.

There were some UN matters. [And you're right on that part right at the moment]—UN and ITU. And I guess most notably is this upcoming

election at the plenipot which could see the Russian candidate who favors, through his government, transferring Internet management to the ITU. So I think that's going to continue to be an issue that we want to be talking about.

Reducing DNS Abuse. I believe that's going to continue to be something that's very much on our radar. And one of the things that came out of the meeting that we had with the Board was this DNS Abuse Caucus from the Board which is formulating a strategy and matrix for monitoring DNS abuse mitigating activities. So I think that'll be very much something that we're going to be wanting to be watching very closely and commenting on.

And then the next item that you have there, Steve, is ICANN Engagement with Governments. And that is something that came up at that meeting November 23rd. And the fact that while ICANN itself speaks from a technical standpoint, the individual constituencies have their own special interest and need to engage with governments on matters that concern them.

So there was talk about developing a blueprint for outreach that would have standardized messaging. That was not particularly a takeaway item, other than the comment, but I think it's something that we can be looking at within CSG.

And then the ATRT Holistic Review point that you make very well there in that lopsided voting and power sharing within the GNSO between contracted and non-contracted parties.

So those are a few of the issues that were on the table last year, and will continue, I'm sure, to be discussions within CSG.

We're in the process of pulling together our near-term priorities for the coming year, and we don't have a meeting set up for that but we will be doing that with the CSG prior to ICANN73. And as Steve has highlighted right there, there is a meeting between CSG and the ICANN Board scheduled for March 8th. And there's also a CSG membership meeting scheduled for March 10th, so we'll probably have much more to talk about between now and then.

And that's really it for me at the moment, Steve.

STEVE DELBIANCO:

Thanks, Tim. Welcome. Good job, first day. And the notes that Tim was going through were all prepared in the previous reports by Waudu. So once again, Waudu, thank you. You set the bar high for Tim and the rest of us.

TIM SMITH:

Yes.

STEVE DELBIANCO:

All right. Back to you, Mason. The meeting's back to you.

MASON COLE:

Thank you very much, Steve. And thank you for the updates on every aspects of the policy calendar from everyone else. And let me just add

my thanks again to Waudu for his service as CSG liaison for the last year. It's been a pleasure to work with Waudu. And we'll miss you on the ExCom. But we're very glad to have Tim on board. And Tim, indeed, good job on your first day. Thank you.

Alright, ladies and gentlemen. We have 16 minutes left. We're on Item #3 and we will move to Lawrence for a discussion on finance and operations. Lawrence, over to you.

LAWRENCE OLAWALE-ROBERTS: Thank you, chair. We'll be starting off my section of the report first of all by also thanking Waudu for his service as CSG rep. As custom to the BC and in appreciating our officers, we have put together this lovely. It's got in it [inaudible] we have here. So we have a plaque for Waudu, and it basically reads "ICANN Business Constituency warmly thanks Waudu Siganga for his distinguished service as CSG representative 2020-2021. With all good wishes from your BC colleagues."

This is just a token of our appreciation, Waudu, and we'll be sending this off to you in a jiffy as soon as we are able to get the details requested. Thank you again for all that you do for the BC.

And we also welcome on board, Tim. And yes, that was a very good start. We're off to a good start with a great report.

The Additional Budget Requests is a process within ICANN that is currently in its [time]. We have until the 21st until January to make our submission as the BC. We were fortunate at the last Additional Budget Request process to have funding for ICANN Learn. We would need to

double up our efforts at the Onboarding Committee level to ensure that we're able to put that cost where it should be on ICNAN Learn before the Additional Budget period for FY22 closes. This will help and ensure that we're able to use the sum of \$10,000 that was allocated for this by ICANN.

We also have \$4,000, there about, allocated for printing of evergreen resources. We normally use this in the production of our newsletters for physical meetings when we were meeting physically. But based on my interaction with staff, I am made to understand that we can also use this to produce outreach materials that are evergreen. In other words, they don't have an end date. And seeing that we have our new BC logos and all of that, we would need to put materials together and get them to print before the current Additional Budget Request timeline ends.

So we need help, especially from the Communications Committee, with this particular process. But to meet the deadline before us which is the 21st of January, tomorrow I will be sharing a draft again for the ICANN Learn and production of BC outreach materials and still be putting in an application for leadership development.

And if members have any other ideas that they think we can push through the Additional Budget Request process, we'll be willing to bring this up and put it as part of our submissions before the 21st of January. But you will have a draft out tomorrow for us to begin to look at. Latest, Monday it will get [inaudible] to us.

After we have set aside the sum of \$65,000 ... \$65,000 now because I think two meetings ago or thereabout we announced that ExCom had

increased their BC reserve funds from \$60,000 to \$65,000 US dollars. So after this is set aside, we will have about \$70,238 in our account. Our closing balance, as of today, is well over \$135,000. And that is sufficient enough to take us through FY22.

We want to thank everyone who has [inaudible] helped in paying up their dues and for a few of us that have an issue or two to resolve and are working on it, we want to encourage that we quickly work at closing out everything with regards [to dues] for FY22.

At this point, I would want to ask if anyone has a question so that we can take this before we continue. [inaudible] [the charts]. All right. So I will just yield the floor back to Mason for the rest of our meeting. Thank you.

MASON COLE:

Thank you very much, Lawrence. Good report. All right, we are slightly ahead of time so we're doing well.

Item #4, Issues to Raise for the BC. I will take a cue if anyone would like to raise a particular issue to discuss today or if there's any other business to cover. All right. I don't see any hands and the chat looks clear. So if there's no other business, then we'll yield nine minutes back for your day.

Just reminder. Our next meeting is Thursday January 27th. We may go a bit overtime in the meeting, depending on what that agenda looks like. So you may want to plan for a bit of additional time. But we'll have the agenda out for that before too long.

And if there's no other business, then we'll yield the rest of the time back for you this morning. And the BC is adjourned. Thank you, Devan, for your support and we'll see everybody in two weeks.

DEVAN REED:

Thank you all for joining. Have a wonderful rest of your day.

[END OF TRANSCRIPTION]