
BRENDA BREWER: Good day, everyone. This is Brenda speaking. Welcome to the BC Membership call on 4 January, 2024 at 16:00 UTC. Today's call is being recorded and is governed by the ICANN Expected Standards of Behavior. Please state your name before speaking and have your phones and microphones on mute when not speaking. Attendance is taken from Zoom participation; and with that, I will turn the call over to BC chair, Mason Cole. Thank you.

MASON COLE: Thank you, Brenda. Good morning, good afternoon, good evening, everyone. Mason Cole here, chair of the BC. Welcome to our call on 4 January and happy new year to everyone. Hope your holiday season was good and restful and you're ready for a new year. A couple of housekeeping items before we begin. One is I may have to ring off the call early; if that's the case, Steve DelBianco will take the chair, probably handle AOB. And we are scheduled for one hour today and we've got our usual agenda up. Before we begin, are there any updates or additions to the agenda, please?

STEVE DELBIANCO: I would only add, before we kick off, we give new BC members an opportunity to introduce themselves. We typically do that and we have Steve Crocker on the call for the first BC member.

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MASON COLE: You beat me to the punch, Steve. I was just about to welcome Steve. Thank you very much. Steve Crocker, welcome to the BC. It's good to have you. Would you like to say a few words?

STEVE DELBIANCO: Thank you very much. It's a pleasure to be here. I've had the pleasure of interacting with some of you, so I feel like I'm in the company of friends. My focus is on understanding what the BC is all about and somewhat closer than I've had the opportunity in the past. I think I'll just hold it there.

MASON COLE: Very good. Thank you, Steve. Again, it's a pleasure to have you in the BC. We're looking forward to your contributions and anything that any of us can do to help you integrate into the BC, please call on us. Very good. Thank you very much. We are going to move right through the agenda, please. Let's go to item number two. That is an update on NomCom activity. Mia Brickhouse has asked for the floor. Mia, please go ahead.

MIA BRICKHOUSE: Thank you, Mason. Hi, everyone. Happy New Year. I appreciate the time. Just have a couple of quick updates. Vivek and I sit on the NomCom and they have, as of January 2nd, opened the portal for the open seats. Let me just share my screen and I'll walk you through two, maybe three quick slides to outline what the positions are and how you can apply.

MASON COLE: Brenda, make Mia a co-host, if you could.

MIA BRICKHOUSE: You should be looking at my screen. This is directly from the ICANN staff. So there are a total of seven open positions, three open positions on the ICANN board of directors, two regional representatives for the ALAC. So one region is for Europe. The other is for North America. One open position on the GNSO council and then one open position on the ccNSO council. So that is the number of open positions that ICANN is hoping to fill.

I want to note that there are no geographic restrictions for the ICANN board. So the only restrictions, again, were just for the ALAC. So the deadline to apply, as I mentioned, the portal has been open since two days ago and hopefully there have been nothing but a rush to apply. The deadline is March 15th. And so please, if you can encourage your network to review and apply, that would be fantastic. For those that do not follow me on LinkedIn, I'd love it if you could follow me. I just shared some of that information on LinkedIn. And if you could just share out my post, we'd like to just get a lot of enthusiasm around these open positions.

I will drop two links in the chat. One will be just general information about the positions. So the committee took a good amount of time to outline time restrictions, time requirements for these positions. We thought that, that was going to be really important for those that want to apply. They should know how much time commitment they will need

for this. And then the other link will be directly to the portal and how you can apply. If you have any questions, feel free to reach out to me directly. You can reach out to Vivek. But we hope to see some great applicants for those that want to advance our mission to make the internet a safer place. Any questions? Awesome. Mason, I appreciate the time. Thank you.

MASON COLE: That was very quick, Mia. Thank you very much. And I encourage anybody to follow up with Mia directly and to join her on LinkedIn because that would be a useful outreach tool. Mia, thanks very much. And I assume you're open for questions ongoing if need be.

MIA BRICKHOUSE: I will be here for the whole meeting. Thank you.

MASON COLE: Thank you. Very good. No hands up. And let's proceed to item number three, policy calendar review. Steve, over to you, please.

STEVE DELBIANCO: Great, Mason. Is it showing on the screen for everyone? Policy calendar.

MASON COLE: Yes, sir.

STEVE DELBIANCO:

Great. Thank you. I will watch the list if anybody has questions. So don't hesitate to interrupt if you have questions. And so kicking it from the top, we don't have any public comments that we have filed in the last three weeks since we last met. So I skip right away to the selected parts of ICANN public comments. The first is a major opportunity for us. So the board wrote to not only the BC, but everyone else back in December. And they want to understand our positions on the public interest commitments and the registry voluntary commitments, which are really two flavors of the same thing. But the voluntary commitments are highly unique to an applicant in the next round.

Tripti, the board chair, cited the SubPro board directive and then put up a blog at the end of November, which I've talked to you about. There are two things they've asked us to do. The board has asked us to do. It's to review their proposed framework. And I put in there, the key is the 25 pages at the beginning. And to submit written input to the questions related to the framework document.

And there's a Google form for that. We have plenty of time for this, but it's really important. I wanted to thank Margie Milam and Chris Lewis-Evans. You've stepped up right away to volunteer on that draft response. And I wanted to remind the rest of the BC members who I hope you will consider getting involved in this drafting. ICANN org held a webinar back on the 18th of December and they presented a handful of slides and I've linked to the slides in the Zoom recording.

Becky Burr, the board member, highlighted the board's first question that if ICANN and the applicant can't agree on a commitment language that they believe is enforceable under the ICANN bylaws, then they're asking the community, us, should the application be permitted to move forward absent that public interest commitment or registry voluntary commitment? Again, this could be a commitment that says that a brand new TLD dedicated to physical therapists has promised to only allow licensed physical therapists to register domain names.

This is just a common-sense example and if that's the way that the TLD applicant wants to run it, we, the rest of the community, want to say, ICANN, you need to enforce it. Because if they've made this promise and ICANN allows them to run the TLD based on that promise, well, then who will enforce it if they decide to just drift away from that or change it? So ICANN knows they need to step into the driver's seat and enforce that.

Now, there's almost no controversy over enforcing registrant eligibility. Where you start to get controversy is when the commitments involve prohibiting certain kind of conduct on the website, conduct or even content on the website, because that steps into the content prohibition on ICANN regulation. So it's complicated, and to help understand things a little bit better, we prepared a series of stress tests. I attached them that are linked to them as well. We had done a handful of stress tests that were designed to show that certain kinds of registry voluntary commitments, such as the absence of distributing malware and fraud, might occasionally cause the enforcement authority to look at the content of web pages that are registered in the TLD. So you look at the content of a web page to decide if what they're perpetrating is fraud

and abuse, but that isn't that you're regulating content, you're using the evidence of content to determine whether the conduct is violating the commitment.

Those are the kind of subtle points we're going to need to make, or we're not going to be able to come up with meaningful enforcements that fulfill the BC's mission of protecting registrants and protecting users from fraud and abuse. I had asked during the presentation, looking back to the 2012 round, I think you remember that if the GAC did an objection, it was presumably just positive of the application, that if the applicant and the GAC couldn't work out an objection, that the application would not proceed. You may recall this. It's been a decade ago, but that's what we went through. And I got clarification that that language will be removed in the next round, that the GAC advice will be taken into account, but does not create the presumption that the application will not be removed.

Now, this significantly reduces the leverage of the GAC should it decide to back a single country's view on an objection. I don't yet know how GAC will react once they start to understand the reduced leverage. It's not our job to point that out, but I would love for us to come forth with a very strong statement supporting the ability of ICANN to look at content and determining whether conduct is violating the promises made by an applicant. Margie and Chris, let me ask you what you're thinking about so far, and also open this up to others who want to volunteer to participate.

MARGIE MILAM:

Hi, Steve. It's Margie. I'm just back from holiday for the New Year, so I haven't had a chance really to deep dive into this. I'm happy to share some thoughts on the list, if that's helpful, in the next week.

STEVE DELBIANCO:

Thank you, Margie. Right after the webinar, I circulated something very similar to what's on the screen, along with an attachment to the stress tests, and I'm hoping that you and Chris can dive into that a little bit more and see whether we can make those the basis of what we come forth with, because it came up again. I had presented them in Hamburg, and it came up again on the board call. Becky Burr and many on the call welcomed the use of stress tests here.

Stress tests are beautiful because they're hypotheticals, whereas if you reach back to the 2012 round and bring up an example like a dot Africa and suggest that as the example you want to discuss, then everybody will fight over your interpretation of the example. Oh, that's not what happened, there were other circumstances; so to eliminate that, you just come up with a hypothetical example where there isn't any agreement or disagreement to be had about the example. It's just meant to be illustrative of what we need to guard against. Are there any other volunteers? I'm looking for hands or chat comments to assist Chris Lewis-Evans and Margie and I. Thank you.

Second one up is a open public comment that closes in one month, and it's a draft report on the Africa domain name industry. These are studies that ICAN commissions to look at an industry. More of a throwback to the Fadi Shehadi notion when ICANN was a trade

association to promote the Registrar Registry domain name industry, but nonetheless, it's still around and it results in regional plans. We have a tremendous presence from the African continent in BC. We have tremendous concern about registrants and users on that continent, being able to use the internet and display content in any language or script in a reliable way that's free from DNS abuse. So we've really got to comment on this. We're in a great position to do a business-oriented comment.

Now, we did comment three years ago, thanks to Jimson, Roger, and Arinola, who are all still with us. Can I get some volunteers? I see Lawrence's name already. Fantastic. Thank you, Lawrence. Any others that would join? David? That's great. Thank you. Thank you, Lawrence and David. It's not due for a month, so we should look at having something ready to distribute to BC members seven days ahead of that, so by the end of January.

Now, we have a financial-oriented set of plans. In this case, I'm grateful that ICANN has consolidated multiple proposed budgets, three of them. The draft budget for fiscal year 25, the operating plan for 25 to 29, and then the IANA PTI planning budget, which is great, and ICANN has given us a handful of highlights, which is a great place to start.

Now, we have commented on things pretty recently, and Tim Smith had led that effort, but Tim is no longer in the vice chair of finance, the CSG role, and has a different role right now, and I don't want to lean completely on Tim for everything. Let's see if we can generate some more volunteers that would help with this. Looking for volunteers on

number three. Lawrence, fantastic. I know that you worked on the last one as well, and we have Tim on the call today.

TIM SMITH:

This is Tim. I will certainly work on it, but thanks for encouraging participation, and thanks, Lawrence, for stepping up. That's great. Love to have a couple more volunteers.

STEVE DELBIANCO:

When you click on the BC comment, the one I have highlighted right here, you'll see the nature of the work that Tim, Lawrence, and the others have done in the past. It's high level. It's taking a business view about whether things are explained properly in the budget. Are they justified, especially where there's increases that are called for? So, pretend you're evaluating a budget in your work life and your own company, and you take the same perspective here. You want to be an expert on ICANN's budgeting to contribute in a meaningful way. Thank you, Lawrence, for helping out Tim on that.

Next item up is the PTI itself, Public Technical Identifiers. This comment closes 12th of February. It is extremely easy. Rajiv, thank you for volunteering right away. It's a very limited budget. Thanks, Rajiv. Appreciate that. Anyone else want to work with Rajiv on that? Thank you.

Finally, this isn't an open public comment. It's something that we followed very closely, which is the transposition of NIS2 into European member state law and regulation. That kicked off in December of 2022,

and we're rapidly crawling into October of 2024 when every country has transposed it into law. Naturally, the BC has been very closely following this and working to encourage forward-looking EU member states to implement regulations that restore an ability to verify the integrity of registrants. They've got to do it for their ccTLDs, but this requires rules and regulations that apply to gTLDs that do business in those countries as well. Would anyone on the call and look to you in particular, Marie, want to give an update on where we are on NIS2 transposition?

MARGIE MILAM:

Sure, Steve. Not much has happened over the last few weeks. Obviously, it's the holiday period. It is going through a number of the member states. Just before Christmas, Belgium had an open consultation for its national law, so a number of comments were put in, including by us. We shared with the European regulators a new paper, which was marvelously drafted by Dean, who you will know, Dean, who used to be with the IPC, which runs through what we're trying to achieve and why. It's very easy to explain steps as to what we're trying to get to.

I sent that to the Commission. It's gone also to ENISA, which is the European cyber security body that's acting as the secretariat to the member state working group, cooperation group, about how they're going to implement this. We haven't seen any law actually being adopted. There are a few going through the national processes. So Mason will know more than I do, in fact, I think. But all we can do is continue to ask that if anybody has a national presence within any of the 27 member states of the European Union, please get your national

people to get in touch with their national government. This is by far and away the best way to get any kind of traction. Thanks.

MASON COLE: Steve, may I add?

STEVE DELBIANCO: Please.

MASON COLE: Thank you for that update, Marie. That's exactly right. Belgium made a sprint right at the end of the holiday season in terms of understanding their transposition obligations. We're looking jurisdiction by jurisdiction at each member state in the European Union to make sure that there is a robust implementation of NIS2. The reason we're doing that is because the provisions of NIS2 are favorable to the interests of the BC.

And as Marie said, we're looking for boots on the ground, particularly in European jurisdictions where members have relationships. The effort to encourage robust implementation of Article 28 is somewhat dependent on hearing from those who are in member states and not necessarily those who are outside member states, maybe in the US or other jurisdictions. So it is important to understand or to not only understand the issues but to contribute to the discussion in those member states. So if you have relationships, feel free to contact Marie or me and we'll help you get integrated into the effort. Thanks, Steve.

STEVE DELBIANCO: Thank you, Mason. Sven, I appreciate your perspective on this and I know we talked just before the New Year. Do you want to contribute anything more about what you believe is the way for us to be most effective?

SVEN ECHTERNACH: I can just speak for Germany as I'm based in Germany and have connections to DENIC. So I can say that Germany is basically following the EU guidelines and they don't plan to do anything other than the EU is giving them. But I'm closely following what's happening and be happy to update you.

STEVE DELBIANCO: Appreciate that. A number of you were present in Hamburg on Day Zero where representatives from ICANN org basically washed their hands of any responsibility for org to do anything on this too. They believe it's all up to the registrars and to some extent the registries that are captured by the jurisdiction of a country that's implementing it in the EU. Very disappointing that ICANN could have stepped forward and been more proactive and maybe taken on a certain role but they kind of walk away from that right now. Any further comments? Great, thank you.

I want to go to channel two now. This is the support and discussion of what's happening in GNSO council. Mark Datysgeld, Lawrence Olawale-Roberts are our counselors; and Lawrence, I'm going to turn over to you. I realized that what I've done is summarize what you did at the last meeting and we don't yet have an agenda for the meeting that's going

to happen on January 18th and then I'll go through the other council activities but Lawrence, over to you.

LAWRENCE ROBERTS: Steve, just before that, Margie has had --

STEVE DELBIANCO: Sorry, did not see the hand. Appreciate that. Margie, please go ahead.

MARGIE MILAM: Hi everyone, it's Margie Milam. I just wanted to comment on the comments Steve made regarding the ICANN position on NIS2. That certainly was brought up in during the Hamburg meeting about whether ICANN intended to make a response to NIS2. I don't believe that's the final answer from them and I think that this is something that the BC should lead on where maybe a suggestion might be to write a letter to the board and get a formal response that they're not going to do anything on NIS2.

I think an off-the-cuff comment by Becky Burr isn't the same as getting ICANN org officially responding to a request from the BC and there's certainly areas where there's conflicts between the NIS2 requirements and ICANN policy and Mason had identified those conflicts in the Circle ID post that he made last year. So I would encourage the BC to think about as we move into the Puerto Rico meeting lining up a letter perhaps even getting other constituencies to sign off on it to put the ICANN board in a position where they have to respond formally as opposed to an off-the-cuff comment during an ICANN meeting.

STEVE DELBIANCO: Thanks, Margie. I can see that actually including the transcript from the CSG board interaction in Hamburg. A little bit of the transcript from what Elena Plexida said at Day Zero and do we have anything more in writing that where we can say that unless we see further clarification from the board are we to assume this is org's official position on NIS2. So put them on the defensive to try to react to either confirm, deny or adjust. Am I hearing you right?

MARGIE MILAM: Yes, that's correct and it actually would help with the NIS2 activities that Marie was mentioning because if ICANN really does wipe its hands and say, there's nothing for us to do here, then that invites more stringent and robust implementation of NIS2. So they go hand in hand and I think it would be useful to get ICANN's official position in writing.

STEVE DELBIANCO: And the ENISA letter was discussed extensively at Day Zero where it really was presumably schooling the European Commission on all the things that ICANN already does so leave us alone. That was basically where that came that came down.

MASON COLE: Steve, if I may.

STEVE DELBIANCO: Please.

MASON COLE: There's further written evidence on the record from Becky answering a question I posed during the last public forum in Hamburg basically saying that they think ICANN is already in compliance with NIS2. I'm in support of Margie's suggestion and I will volunteer to take the pen on the letter.

STEVE DELBIANCO: That's fantastic. So we would want to run that through a seven-day review from the BC since we're not working against a deadline but in any event we really would love to have it ready prior to going to San Juan.

MASON COLE: Not a problem.

STEVE DELBIANCO: Any other volunteers want to work on that? Thank you, Mason. Appreciate it. I think you were there at Day Zero too, the eco event, right? No? I'm going to see what I can do to get that transcript. Lawrence, let me go over to you to talk about council.

LAWRENCE ROBERTS: Thanks a lot, Steve. At the last council meeting, the two items that were presented for the vote; the final report of the EPDP for

internationalized domain names and the GDP final outcomes both went through and I believe that more work might be required while this is sent to the board.

There is another meeting or a general meeting is built for the 18th. The agenda is being put together and I think basically what I see as one of the major outcomes for that meeting is the appointment of a chair and vice chair for the standing committee. That's the committee that helps the GNSO council select volunteers across the different constituencies for two representatives especially in assignments such as the fellowship mentor and stuff like that.

One other thing that will be important to report; at the last council meeting, the IPC also presented their RFP that they sent the board with regards to the auction proceeds. This was discussed extensively and also has been discussed offline within council and the resolution assets as today that I speak is that a letter should go to the ICANN board from the council asking that some form of response will be provided the IPC on the RFP and basically asking for further engagement between council and the board with regards the resolutions that were reached and ensuring that in future community outputs are not overturned by the board.

After that letter goes to the board, then we will definitely expect a response and that's when further action can be taken in that regard. I would say that's about all, but a meeting for the 18th is not built to be quite heavy in terms of agenda items from what I see. I don't know if we have any questions, I'll be happy to answer them.

STEVE DELBIANCO: Any questions for Lawrence on activities in council? Thank you, Lawrence. I'll scroll down to some other council related activities. The first is transfer policy working group where we're led by Zak Muscovitch and Arinola. Zak, I know you're on the line do you have any updates since the last that you share?

ZAK MUSCOVITCH: Thank you very much, Steve. This is Zak Muscovitch. No updates as of yet as we haven't had a transfer policy working group call since the new year, but probably at the next BC meeting, Arinola and I will have an update for you all. Thank you very much.

STEVE DELBIANCO: Thank you, Zak. Moving up to the RDRS which was known as SSAD Light, something that has been near and dear to the BC for a long time. It's not only my role on this standing committee for RDRS, and I had been on the small team, but Steve Crocker, newest BC member, is also on the standing committee, and Steve, I put SSAD rep, it should have said SSAC rep; and as a person like Steve Crocker can be both a member SSAC and a member of the BC. But I believe the BC would say that you only vote in one or the other of a GNSO organization. And since SSAD is outside of GNSO, I'm not even sure.

So when it comes time for Steve Crocker to cast a vote, let's make sure that we figure out whether you're voting in the SSAC as a matter of course, or you're voting in the BC. And we can sort that out when the

time comes. But Steve, I'm asking you, before we go into the substance of this, do you believe you can stay on the Standing Committee and retain the representation of the SSAC?

STEVE CROCKER: Yes.

STEVE DELBIANCO: That's fantastic. This will give us a twofer.

STEVE CROCKER: Let me just also comment quickly. I understand the technical distinctions you were making about voting. And I'll abide by whatever rules you guys are comfortable with. My experience in the ICANN organization, having spent quite a long time as a non-voting liaison from SSAC on the ICANN board before becoming a voting member of the board, is that the opportunity to be in the room and occasionally to speak is vastly more important than whether or not one has a formal vote.

STEVE DELBIANCO: Your presence here is important and valued. Everybody was eagerly anticipating having you become part of the BC. You are in the room, and don't hold back, please. Because on the RDRS, I typically apprise the BC of the frustrations that the CSG reps, and you and Alan Greenberg with ALAC have run into. We were constantly pushing on

org to make some improvements to the RDRS. We're constantly looking for policy changes to require participation by registrars.

And we continue to remind them over the course of two years that we shouldn't expect significant demand for a system that doesn't require the disclosure, even when legitimate bases are presented, especially a system that doesn't even require the participation of all the registrars. And ICANN is patting themselves on the back for covering just over half of all the gTLD domain names under registration. It might even be higher than that now.

But at this point, I would love to open the floor to BC members that have continued to use the RDRS to submit requests for registrant data disclosure. You can see on there that I've summarized some of the things we discussed on the 14th of December. So let me turn now to members that have tried, even with mixed success. I know, Tim, you had done a handful. Are there anybody else that wants to add? Chris Lewis-Evans? Others?

So I see a comment from Marie that it's obvious that many registrars that do participate may have turned most, if not all, of their registrants into privacy and proxy. That happened long before they decided to enroll in the RDRS. That was something that happened very quickly after GDPR. I don't think that we've caused that, but it does make it frustrating to use the RDRS if all you really see is privacy and proxy. Are there things that we would recommend ICANN to do in order to make it more effective and useful for a requester?

Thanks, Chris, for that update. Do we have Faisal on the call today? Do we have Faisal on the call today? Or anyone from Tracer? We don't. Steve Crocker, I had announced several times on BC calls that you had some interesting ideas about the functionality of a separate application that could take CSVs or other delimited type files and upload in bulk to the RDRS without ICANN lifting a finger and giving us an API since they claimed they wouldn't do that, at least not in the initial period. Steve, are you getting any cooperation from folks at Intel or folks like Faisal from Tracer?

STEVE CROCKER:

Not yet, although I had an interesting call with Lori Schulman from Intel yesterday, and she suggested that there might be quite a lot of support coming from that direction, but I have to wait to see if it materializes. I think it is a relatively small technical development to try to put together an application that would upload batches and keep track of the responses and provide a more flexible user interface, more efficient, one that can be integrated into if the user has their own system for keeping track of things, integrated into that.

As I said, I have not yet seen a strong expression from any group of users yet, and would be happy to facilitate creating such a small application. Maybe this call will trigger some of that. That said, let me offer just briefly as a sort of extended introduction of what I'm doing here and where I'm coming from. My view of the RDRS is that it is a very weak system that ultimately cannot meet the real needs of the community. Having said that, let me make two very careful statements.

Despite my strong feelings about that, I'm happy to help make it as useful as possible. As a separate matter, I'm spending quite a bit of time thinking about what a real system, a fully functional system that meets the needs of the community, should look like. I'm operating along two almost incompatible paths, if you will. One, strongly staying within the bounds of the RDRS to try to be as constructive and helpful as possible, and a separate one completely outside of that scope, saying it's too bad that they're wasting time on that, but let's think about what a real system should look like. I don't have any trouble keeping those straight in my head, but I can imagine they could create some confusion.

STEVE DELBIANCO:

Please continue on both paths. The BC certainly recognized that it was a weak solution. In fact, the BC representatives on council, Steve, we voted against the SSAD, even before ICANN costs it out, because we said without a mandatory disclosure, it wasn't going to be worth the money to build a full-blown SSAD, and we were only reluctantly looking at SSAD Lite or RDRS as a proof of concept, and we needed it to capture the data necessary to show that we needed policy changes.

For example, legitimate queries that get no reply at all, because the registrar is not participating or is using privacy proxy. We had a handful of things we were afraid of, though. We were afraid it would show a lack of demand, and a lack of demand will be cited by the registrars as evidence that we don't need anything, that obviously interested parties have other ways to obtain the registrar information they want, because they're not even checking the RDRS. So that's a trap, well-laid trap that

you heard me identify on multiple phone calls over the past two and a half years, and they proceeded nonetheless, and they had the votes to jam it through. So we do find ourselves in a mess on that.

With respect to Steve's first offer to help, Faisal discussed on our last call that his system called Tracer has multiple clients in it. So when he does an upload, he may not need a bulk upload that says I have multiple clients, but even for a single client, he may have bulk. But if he has multiple clients, he has to set up a separate account at ICANN for each of the clients that he uploads for. That is a wrinkle that I guess we hadn't anticipated when you and I were discussing the upload functionality. Has Faisal connected with you since I introduced the two of you?

STEVE CROCKER:

I talked with Faisal a few weeks ago. I have a lot of respect and admiration for what he does. He's built a business, which is a good thing in its own right. I think he's providing services that his customers find useful and so it's successful. He's got the technical chops within his group to build the system that operates that way. My guess is that he's not hurting for lack of these things because he's sort of taking care of it himself, which is fine for him. If that were generally available to everybody and we're more of an open system, it might make me rethink about how much time I should spend on this, but it's not a general solution that's open and embracing of the entire community, but otherwise more power to him.

STEVE DELBIANCO: Appreciate everything you're doing to help. A number of the BC members are clients of Faisal and his company Tracer and that would be the most effective way to nudge Faisal into continuing to have more dialogue with Steve on designing and helping to flesh out even to fund the development of the separate app. Are there any further questions or closing remarks, Steve, on the RDRS?

STEVE CROCKER: No, I'll continue to watch it and to stay involved. You use the words that ICANN is congratulating itself. There is a very strong sense that they think they're doing something useful and one can predict that they're going to insist on that, that they've done something useful no matter what counter evidence we look for. I submitted one request that got rejected. I was requesting information about my own domain name. There was no explanation about it. I'm not connected strongly to everybody's input on this, but my understanding is that various people are trying experiments and getting mixed results of one sort or another.

I think it would be very helpful to have external collection either anecdotally or in a more structured and carefully organized way to look at what the data is in order to have a neutral and balanced understanding of what RDRS is doing and what it's not doing. The big threat, the big threat in my view from RDRS is that it's going to demonstrate that there is no real interest in this and therefore there's no problem.

STEVE DELBIANCO: That's right. They'll have boiled the frog and that is where we predicted this would go two years ago. Thank you. We have one other item which is the subsequent rounds of gTLD expansion or SubPro. There's now an implementation review team. I want to big thank you to Imran Hassan who are being the BC rep and Ching Chow for alternate. Imran or Ching, do you have any updates on where things are in the IRT for SubPro? Ching.

CHING CHIAO: Hi Steve. Thanks for the opportunity to speak. I think as of now, the group is steadily progressing its meeting. There's two subtracks for this particular group. Probably of interest for many of you is the RSP track and also the RST, the testing track. I've also been listed on these two tracks. I'll keep you posted on any new progress in the next call. There's a call I think being canceled I think this week, so the group after the new year will resume the call, I think on the January 16th, so I look forward to provide new updates in our next call. Thanks.

STEVE DELBIANCO: Ching, thank you. Marie has posted in the chat that we are hearing that the GAC has advised the board there should be no closed generics in the next round because the facilitated dialogue really didn't resolve that. Do you know if that's being covered in the IRT?

CHING CHIAO: Yes, I believe so, and that's also the topic that we covered earlier in this call. I don't want to repeat that once again but it's being covered.

STEVE DELBIANCO: Thank you. Channel 3 then is what we call the opportunity to talk about the Commercial Stakeholders Group. Marie, welcome to the role as the CSG liaison for the BC as of this month, and thanks again to Tim Smith for helming that role for the last couple of years. So Marie, I am in here the report from last time do you have anything you'd like to add?

MARIE PATTULLO: Very briefly, just to let you know that there will be a group set up to try to improve how -- within the NCPH so the non-contracted party -- to improve how we nominate our choice for board seat 14 which as you all know has been a bit of a mess. At the moment, Damon from the IPC and me from the BC, will be putting ourselves forward for that. We're just waiting for Philippe to tell us who will be coming from the ISPs and then that will be the CSG team. Then there will be regular meetings and I'll update you when they happen.

I hope you guys are all coming to San Juan because we've got a very busy agenda. What we know at the moment if you can get there early is we're looking to meet with the we being CSG with the Public Safety Working Group as you know that's the law enforcement guys from the GAC so very very useful that will be on Saturday. On the Sunday we'll be meeting with the contracted party house and the Tuesday I hope you will all have a lot of coffee because you're going to need it.

It kicks off with, at the moment, the CSG members meeting. Then we've got a whole hour and a half with the Non-Contracted Party House. This is important; if we're going to build bridges, we actually need to sit in

the same room without throwing things at each other. We're going to have the BC meeting itself we're also going to have the board meeting all of that on the Tuesday and we're hoping that somewhere on the end of or just before the meeting in Kigali we will have a separate day with the Non-Contracted Party House so we can actually as I say start to build these bridges. That's all from me.

STEVE DELBIANCO: Thanks, Marie. So for arrival purposes, there's nothing booked for Friday, but Saturday starts off -- what time Saturday are we meeting with the Public Safety Working Group?

MARIE PATTULLO: Well, just to make you happy, Steve, it looks like it's nine in the morning.

STEVE DELBIANCO: It looks like I'll have to fly in on Friday for sure just wanted to check.

MARIE PATTULLO: We have the draft schedule from Brenda, thank you Brenda, but I'll leave that to Mason because it will change so much. I'm always reluctant to share drafts because everyone gets confused when things alter.

STEVE DELBIANCO: Great, thank you. Any questions for Marie in our CSG role? Seeing none, I'll go back to Mason; back to you.

MASON COLE: Thank you, Steve, thank you, Marie, thank you, everybody, for the update that was comprehensive; we are behind schedule unfortunately. Let's go please to the next item on the agenda which is an update from our new vice chair for finance and administration; that's Tim Smith. Tim, over to you, please.

TIM SMITH: Thanks very much, Mason. Tim for the record. I'll have a fairly short report actually because Marie just took a whole bunch of things off of my report, so that's great; thanks, Marie. I guess one thing I'd like to say is we start the year in good shape we have a new member thanks Steve Crocker for joining us it's always good to see the membership going up rather than the membership going down so that's a great start.

I guess just briefly on finances, we have a positive bank balance we're currently sitting at about a hundred and fifteen thousand dollars in the bank so that's great and that's after paying our member clicks requirement which is for the maintenance of the Business Constituency website and that's about five thousand dollars which ICANN reimburses us for so we're in good financial shape at this point. Nothing else to really report on that front from a financial standpoint.

Just a couple of notes though; there are a couple of deadlines coming up this is non-finance related but the fellowship program mentorship for ICANN 81 82 and 83 has a deadline of January 12th, so if there are people who are interested in being mentors, you can contact me offline

and I can give you a little bit more information about it; but January 12th is the deadline for submitting an expression of interest.

Also I guess the other thing that's coming up on this coming Monday is a community excellence award, so the nomination period for the community excellence award closes on Monday' and I believe Brenda had circulated something so you should have it in your email just the other day about a last call for that, but I just wanted to bring it to everybody's attention while we were here on the call.

And the only other thing that I wanted to bring forward was NETmundial+10; demonstrations of interest for NETmundial are being sought at this point, and Nivaldo had circulated something earlier in the week to everybody, so again, it's something you should have in your email. I don't know whether that's a matter of the Business Constituency expressing its interest or individual businesses within the Business Constituency expressing interest to participate. I think it is outlined on the email that Nivaldo circulated; and I believe if I'm not mistaken, they were trying to organize that meeting for some time in April I think, so here we are in January, and this has to take shape pretty soon I would say. And that's really the only thing that I have to update you on.

MASON COLE:

Tim, thanks very much. Any questions or comments for Tim, please?

STEVE DELBIANCO:

Just one quick one just one quick one as soon as we learn the dates I know I think there were two potential dates in late April but as soon as we have a date that's going to be essential to determine participation, and as Tim indicated, it is more effective if multiple businesses indicate they support the effort and intend to participate rather than to have a single letter from just the Business Constituency it's better that the businesses represented in the BC independently indicate their interest and Net Choice intends to do that.

MASON COLE:

Thank you, Steve. Any other follow-ups for Tim, please? The queue is clear, we're moving now to item five, which is AOB. We have covered the two items that I identified under AOB, which is the Standing Selection Committee and the Community Excellence Award. Our next BC Membership call is on January 18 at our normal time, but before we ring off, is there any other business for the BC this morning?

The queue remains clear. Friends, thank you very much for a productive meeting we covered a lot of territory today we will see you on the 18th if not sooner and please watch the list for updates because we're into the new year and things are going to start speeding up pretty quickly. Thanks, everybody' BC is adjourned.

TIM SMITH:

Thanks, Mason.

STEVE DELBIANCO:

Thank you.

[END OF TRANSCRIPTION]