
BRENDA BREWER: Hello, everyone, and welcome to the BC Membership meeting. My name is Brenda. Today's call takes place on Thursday, February 22nd, 2023, at 16:00 UTC.

Today's call is being recorded. I ask that you please mute your lines when not speaking.

And we do have apologies from Barbara Wanner.

I will turn this meeting over to Mason Cole. Thank you.

MASON COLE: Thank you, Brenda. Good morning, good afternoon, good evening, everyone. Mason Cole, Chair of the BC, on the line with you. It's now three past the hour on February 2nd. Welcome to the BC call. It is Groundhog Day in the U.S., and the groundhog has seen its shadow, so we are apparently in for six more weeks of winter. So we have that to look forward to. So there's your news for the morning.

Alright. The agenda for today's meeting is up on the screen. Are there any additions or updates to the agenda before we begin?

Alright, I see no hands. Before we start, let me give a special welcome to Paul McGrady, who is our NCA representative on the GNSO Council. Paul, welcome to the call. Thanks for joining us.

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PAUL MCGRADY: Thanks for having me. I appreciate it. And I'm here to listen and, even after the call, here to listen. So feel free to reach out.

MASON COLE: Alright. Great, Paul. Thanks very much. We don't have an agenda item specifically for you but understand you're here to listen and contribute as you see fit. So please raise your hand whenever you're ready, and we'll be glad to have your input.

PAUL MCGRADY: Thank you, Mason.

MASON COLE: Thank you. Okay, so welcome, everyone, again, to the call. We have an hour's time to go, and we have our usual crowded agenda.

And no, Marie, I don't believe that's a pretend Barbara. It looks like the real Barbara to me. So I'm glad she could join the call.

Alright, Steve. Over to you for Item #2, policy calendar review. Please take the floor.

STEVE DELBIANCO: Thanks, Mason. Do you see it now on the screen?

MASON COLE: It's a little small, but yeah.

STEVE DELBIANCO: Alright, let me try again. I'll bet that's better.

MASON COLE: Yeah, there you go. Much better.

STEVE DELBIANCO: Sorry about that. Hey, everyone. As your Vice-Chair for policy coordination—and this mostly for the benefit of Paul McGrady—we prepared this policy calendar and send it to members prior to the call. And we walk through a couple of different channels—the channel for public comment, the channel for council, and the channel for CSG. And we have different officers that address each section, Paul. So feel free to ask questions. And of course we can share a copy of this e-mail with you, if you wish.

First thing we cover under Channel 1 is public comments that we've done in the last two weeks. And we did submit one, thanks to Zak Muscovitch, Andy Abrams, and Jay Chapman. We commented on the final report of the EPDP on what is called the new curative rights protections. Or we used to call them RPMs for the private sector, but in government, they want to call them curative rights. And it's for intergovernmental orgs. Just think about the Red Cross and Red Crescent. So we got those comments in. And thanks to our leaders on that.

As far as public comments that are open, there are two open right now. We've already discussed #1. It's the comment on the five-year operating

financial plan and the fiscal '24 [op] plan and budget. So Lawrence, Tim Smith, and our finance committee are drafting a BC comment. It closes on Feb. 13th. And we'll make sure that we have something in your inboxes seven days prior to that for our charter so that membership can review.

Lawrence, Tim, and the finance committee are making some progress on that. How can I help?

LAWRENCE OLAWALE-ROBERTS: I'm working on a draft. I know the team also has been working on something. I will share my draft with the team, and we will have it on the private mailing list just in time to meet our seven-day deadline.

STEVE DELBIANCO: That's fantastic. Thanks, Lawrence and Tim. I appreciate it.

Second item up—sorry? Go ahead.

Alright. Second item up is a procedure ...

MASON COLE: Steve, you have a hand from Margie there.

STEVE DELBIANCO: Sorry. Missed it. Margie, go ahead, please.

MARGIE MILAM: Hi, everyone. One of the things I was thinking about with regards to the strategic plan is suggesting a comment that ICANN build in a process to evaluate how to update the SSAD with regards to the NIS2 requirements. It seems that that might be a good place to start talking about that issue, and I suspect it may involve reprioritizing some of the things that are in the strategic plan. So I just wanted to at least share that as a possible comment.

LAWRENCE OLAWALE-ROBERTS: Okay. That's noted, Margie. And definitely we'll have that in our draft. It's welcoming also because, before the strategic plan was put in place, those discussions hadn't advanced. And now that there's a decision, there definitely should be some provisions made in that regard.

Tim, what's your thinking also?

TIM SMITH: I agree completely. Actually, one of the thing that I was looking at was ... One of the factors that goes into the plan is emerging trends, and I did notice in their trends report that DNS abuse was an emerging trend, an existing but elevating trend. So I was going to comment on that, and it seems appropriate that this would also fit into that same kind of category. So we'll certainly capture that in our comments.

LAWRENCE OLAWALE-ROBERTS: Okay.

STEVE DELBIANCO:

Alright. Thank you both. Thanks, Margie.

Second item up is a procedure proposed by ICANN Org. And it's a relatively lightweight, very subjective procedure that they could use if SSAC or even someone else up came up with a potential string—TLD string—that should be reserved (examples of things like dot-office, dot-corp, dot-home; things that would interfere with intranet domain names that are used that are not resolved in the open DNS.)

So this coming off of work that started ten years ago when the collisions were presented as a significant risk, and the Security and Stability Advisory Committee, or SSAC, came up with a paper two years ago, three years ago, called SAC113. It's a long, detailed paper, but there's really just a very short two-page procedure on Org on how to handle it. It does have a little bit of subjectivity in it, and that's certainly of some concern to us.

And, Rajiv Prasad, from Google, I am so grateful that you volunteered to draft the BC comment. And why don't you tell us a little bit about what you're thinking? We have plenty of time. It's not [inaudible] until the 28th of the month.

RAKIV PRASAD:

Certainly. So having actually spoken to the author or SAC113, I think the BC position—and this is something I'm going to propose—is that we actually support the recommendation that's laid out in SAC113, which is—I'll just read off that recommendation—"The SSAC recommends that ICANN Board ensure a string is identified using the criteria specified for private use"—paraphrasing—"And a particular string must never be

delegated.” So the proposed string is dot-internal. And I think it is likely the least controversial of all the proposed strings. So my position ... Or rather I would propose that the BC support this recommendation.

STEVE DELBIANCO: Rajiv, the recommendation that’s in 113 isn’t exactly what the Board is recommending as a procedure.

RAJIV PRASAD: Certainly, yes.

STEVE DELBIANCO: So I feel like we do two things. We would support the 113 recommendation because, if you think about it, BC members are exactly the kind of companies that would set up an intranet—an intranet behind the firewall—and we might well use dot-printer, dot-corp, dot-office, dot-home, dot-mail. So the BC was a big proponent of addressing collisions.

But I’m not positive that the proposed procedure matches what SSAC recommended. That’s part of what you, Warren, and I need to drill into. Agreed?

RAJIV PRASAD: Understood.

STEVE DELBIANCO: Beautiful.

RAJIV PRASAD: Yeah, let's have that discussion offline then.

STEVE DELBIANCO: Okay, great. Thanks, Rajiv.

Anyone else want to volunteer to assist with this? Looking for hands.

And, again, it's a two-page procedure, Rajiv, so my guess is that we won't have a very long comment at all, especially if the procedure matches what was recommended by SSAC.

RAJIV PRASAD: Indeed.

STEVE DELBIANCO: Thank you very much.

And #3 is not an open public comment but it's an open public process. And we put it on the agenda for our meetings every two weeks. And the BC, along with many other entities, have been working hard to convince the European Commission and the European Parliament that they need to adjust the way that the world and ICANN in particular had interpreted as GDPR and used it as a way to shut down access to registrant information.

And the result of that over four years of work, three years of work, is that we now have NIS2. NIS2 has been adopted and published. And the member countries of the European Union have 21 months. And I think we're now down to just 19 months to turn this into their national law, either through regulation or laws. And it's effective policy for the European Union. It's not the same thing as GDPR, which is regulation. This is a directive for the states to regulate.

But we've discussed this on a few prior calls, and there's an opportunity here to really pressure ICANN to adjust its policies and contracts in a way that gets us closer to restoring legitimate access to the information. And that's part of why I put this in here.

But is there anyone who has any updates on the NIS2 transposition process? Looking for hands. I mean, Margie brought this up a moment ago as something we might say in the budget priorities for ICANN on the comment that we're drafting. Then we could suggest that ICANN allocate legal and policy resources to [Vonder] and react to the transposition of NIS2, since we believe it's going to require some changes.

Marie, your hand is up. Please go ahead.

MARIE PATTULLO:

Thanks, Steve. Just to let you know—some of you know already, but for transparency—the European Commission has put out a call for tender on a study on the domain name registration data. Now, don't get all excited, and don't all start putting in your "I'll do it" bits because this has to come from a very closed list of people, if you like, [inaudible] by

the European Commission. But so that you know, they are taking this seriously because ... I'm [crating] here—"Will procure a study on domain name registration data. Aims at highlighting current good practices for the collection, maintenance, and accessibility of WHOIS data. Should cover the most important steps in the lifecycle of WHOIS data from collection to disclosure with a lot more detail in there."

If anybody is interested in reading Call for Tender, I'll very happily send it to you. But just so that you know, from the commission side, there is work underway. Thanks.

STEVE DELBIANCO: Hey, Marie, could you please send it to the BC and GNSO? I'd love to see a link to that tender. That's wonderful. Thank you.

MARIE PATTULLO: I will but with the premise: please don't start sending in your response to a tender because ... You're welcome to do that, and it will go to the digital dustbin.

STEVE DELBIANCO: Got it.

MARIE PATTULLO: But, yes, I'm more happy to do that, and I will do so. Okay.

STEVE DELBIANCO: Thanks very much.

Paul McGrady?

PAUL MCGRADY: Thanks. A couple of things. One, I saw in this too that there's going to be a specific set of regulations related to domain names that are going to be, I think, different from the general implementing regulations. And maybe that's what Marie is talking about. Maybe that's the beginning of that process. So I think there's going to be a focused opportunity to help with implementation on those things.

The other two things that jumped out at me ... One was that, in terms of the requirements to acquire data, both registries and registrars seem to have an obligation to acquire data now, but it seems like registries could delegate that to registrars. But it also looked like there was a joint obligation to maintain the data. And so I thought that was interesting from a thick/thin discussion.

And then the other thing—this is more of an opinion question, and maybe people could opine on this on the call—is that the thing carves out root zone operators, right? But ICANN is not a root zone operator. IANA is. And so I'm wondering if we think ICANN is carved out from this. And if it's not, everybody I'm sure has already noticed the data cooperation agreements. Does that impose an obligation on ICANN to finally get real on the data agreements that it has been slowly negotiating with the contracted parties on?

So those are just some of the things ... I know we all sit around on the weekends reading NIS2, and those were just some of the thing that jumped out as me as really interesting in terms of effects on the current ecosystem. I don't know that any of that requires policy changes necessarily. It's early days. But certainly it's worthy of paying attention on the implementation side—what's that?

UNIDENTIFIED MALE: [inaudible]

PAUL MCGRADY: I'm sorry. Okay, I think it's just background talk.

STEVE DELBIANCO: Yeah, we do that to all of our guests so that they [inaudible]

PAUL MCGRADY: Yeah, it's like hazing for a frat, right?

So anyways, those are some of the thing that jumped out at me. And again, I don't know if they require policy changes, but they certainly seem to require attention to it. And if we could drill down in into whether or not we think ICANN is included rather than excluded from this, too, that might be really interesting in terms of pushing hard on this DPA, which is really ... Everybody wants it except for ICANN, right? So anyways, thanks.

STEVE DELBIANCO: Thank you, Paul.

Margie, your hand is up. Please.

MARGIE MILAM: Hey, Paul. Thank you for those observations. I hadn't thought about that, but I'll go back and read it as well because it just didn't dawn on me that it could be encompassing ICANN.

But to kind of answer one of the questions, it's actually a legal obligation now in Europe that, yes, it needs to be transposed, but the directive has the effective law. Maybe Marie can tell me if I'm wrong, but at least from what I've read, it's viewed as a law at this point subject to transposition in the member state.

And I think, as the BC, we should be advocating that because that means that ICANN can't wait, if you will, to address these issues because the NIS2 language—and this is what we heard from Bart Groothuis—is very prescriptive. It's very specific as to what needs to happen.

Marie, tell me whether you think I'm just misreading European legal requirements, but it strikes me that we shouldn't take the position that we have to wait for 21 months to ask ICANN to do something.

STEVE DELBIANCO: Thanks, Margie.

Marie, your hand is back up.

MARIE PATTULLO: Yeah, Margie, you're right. The directive ... What it has done is said, "This is the law." No, let me take it back. "This will be the law." What happens is the member states now need to put that into their national legislation. They can do it any way they like. They could do it with a one standalone law. They could do it by changing lots of different national laws. But they cannot change the obligations of the directive. They have to get to the ends that the directive says any way they want to by any means at all.

So you're absolutely right, Margie, that, although it's not actually ... You couldn't at the moment take legal action under it, no, but the member states can't dial it back. They can't go to a lesser standard than is in the directive itself.

STEVE DELBIANCO: So, Marie, Paul McGrady mentioned this notion that there might be more specificity coming out of the commission or the European Parliament with respect to NIS2. I was unaware of that. How does that [inaudible]?

MARIE PATTULLO: Yeah. That's supposed to be implementation guidelines. Well, we believe there [inaudible]. If Nick were here, he'd be able to read off the [inaudible] [cycle], but whether it will be specifically on [our work] ... We have to remember that NIS2 covers a large amount of territory, and we are a tiny, tiny, wee bit of that territory.

The specificity of domain names ... The only thing that I've actually seen so far is this tender.

STEVE DELBIANCO: Do you think countries will [inaudible] to transpose when these implementation guidelines are published?

MARIE PATTULLO: It's, how long is a piece of string? Because, again, with a directive ... As soon as the European regulation is adopted, or the date that will be in regulation, as soon that date has passed, that is the law in 27 member states plus what we call the European economic area. So a bit more than 27.

With the directive, there's an end date. You must have the law in place by the date. In this case, it's 21 months. And it will depend on the internal workings and machinations and decisions of each individual member state. Some of them will have laws that are quite similar that just need upgrading, tweaking, changing. Some of them all have to do massive work. Some will have a complete [inaudible] fight at the national level with completely different perspectives on how and when it should happen. Some of them will have their parliaments and governments aligned.

So I can't answer that, Steve. It will completely vary by country, by jurisdiction.

STEVE DELBIANCO:

Got it. In our discussions with Bart, I think we did suggest though that a country like Denmark, who already requires disclosure of cc's, might decide to transpose by implementing similar requirements to its gTLDs serving the economy. In that case, they don't have to wait for some implementation guidelines from the commission. As you said, as long as they meet the end points of the directive, they can do it.

Alright. Any other comments on this one?

Alright. Let me move down to Channel 2, which is what we call the council channel. Our previous meeting was back on the 19th. I put in the agenda transcript. And there were two consensus agenda resolutions that were adopted. And Arinola, one of our BC members, is the ICANN Fellowship mentor, as well as Chair of the Selection Committee.

Marie, I'll turn it over to you and Mark to go through what you think will be on the agenda on February the 6th.

MARIE PATTULLO:

Unless I'm mistaken, we don't have Mark. But I'm actually not going to do that because I don't know what's [inaudible]. What I am going to do is just mention a couple of thing that happened but change the conversation a little bit.

Some of you may be wondering why Paul is here. Paul, in the moment I'm going to completely put you on the spot and ask you to explain the NomCom role that you hold. A couple of things that struck me in the council session. As I don't have Mark, I'm going to turn to Paul for this. We talked quite a lot about SubPro in two different ways, one about

what ICANN Org intends to do, how it's thinking of rolling out the SubPro process. And the other one is there's bits of the procedure that are within council's—for want of a better term—control, where there are lots of different little bits of working going on and how we can make sure that these all get to the end point at the right time. All of that I think you will know, and I don't think there's much from my side I'd want to say about that.

I would be interested to know what Paul thinks because I've told you, Paul, I'd put you on the spot. And the other thing with putting Paul on the spot (because I don't have Mark) is that Paul co-chaired the DNS Abuse Small Team with Mark. So I think we should make the most of Paul being here. Paul?

PAUL MCGRADY:

Alright. Well, I don't know how to react to the ... I'll start with the DNS abuse, which I think was a catalyst. The actual outputs from the work seem less directive, more "Let's talk." But I do think it helped melt the ice. And I do think that the contracted parties opening up a dialogue with ICANN around the same time ... Those were not unrelated to each other.

So I think it's good work. I still think there's gobs more work to do. There is the threat of a PDP on some of these things if we don't get there through other means. So that's nice. There's a placeholder. And nobody wants a PDP to take seven years and then become consensus policy that's baked into a contract. So hopefully that puts a bit of pressure on the system. It's what I've been calling lately the council

using its moral voice rather than actually having to only use PDPs or GGP's to get things done. And so I think that that was a good outcome.

Marie, you had a question on the SubPro, and it escaped my ancient mind. Do you mind repeating it?

MARIE PATTULLO:

Not at all. When we were talking about SubPro in council, there are two main sections we were looking at; one, what ICANN Org intends to do. (some of it seemed extremely convoluted, quite long, and very expensive), and the other being that which council has control over and trying to make sure that we don't [tail] all of the timelines. And I wondered what your view was on that.

And I see, Steve, you have your hand up. Do you want to come in before Paul or after Paul?

STEVE DELBIANCO:

After.

MARIE PATTULLO:

Okay.

PAUL MCGRADY:

So I do think that the five-year plan for implementing SubPro is not well-received. It seemed like it was "Every jot and tittle has to be covered. Every possible system has to be built." And it did seem like the staff plan's to move faster was a good challenge to the community. I think a

lot of the feedback, of course, from the community has been, “Yeah, we want you to move fast. And we don’t want you to create policy on your way.” And so I think council has to be vigilant on that. Council has to be vigilant on getting some of this work done, like the GGP on applicant support. That needs to be done. The IDNs work needs to be done.

And so there are a handful of thing that I’ll never say are gatekeeping issues because I’ll live to regret that, but I’ll say that they are very, very important issues that need to be solved now. And so it’s going to be council’s job to hold people to tight deadlines and not let things slip if SubPro is going to happen in 20 ...whenever it’s meant to happen now, right? Early 2025. Otherwise, we face a situation where it’s 15 or 16 years between rounds, and it start to look pretty ridiculous.

And in the meantime, I think we all know it may not be these crypto domains that each ICANN’s lunch, but something is going to. The crypto domains would be a bigger threat of the crypto domain people were so dysfunctional. But something is going to happen. So we do need to move this along, and we need ICANN to open up its shop again. So that’s going to be up to council to chase down on those.

I want to go back and just talk for two seconds about the role of the NomCom appointee. The answer to that is there’s no guidance. And so my view of this role over the years has been that it’s a nice person who’s interested in policy and occasionally provides a tie-breaking vote. Okay, that’s nice, right? And they didn’t really do much.

When I pitched my candidacy to the NomCom, it was really about learning from everybody, listening to everybody, coming informed to

the council table ready to balance all those interests. That's Part 1. And obviously the IPC ... There's already open doors there. The BC has been pretty welcoming. Thanks for having me. I think this is my second call, but Mason and I talked a bit from time to time. And Marie and I talk all the time. So I'm better able to get a sense of where you guys are coming from. It's still very big blind spots from the other three, but every month I ask, "Who wants to meet? Who wants to talk?" And I'm hoping that, coming out of the special council session, some of that will thaw and the doors will open and the people will get over the fact that I started my ICANN days in the IPC and that I'm really trying to listen.

The second thing that I pitched to the Nominating Committee was that I have no interest in being the third IPC councilor or the fourth shared one between the IPC and the BC. I really do want to not only listen but I want to work. When you guys have a project that needs an extra pen or you just want somebody to review something or whatever, I'm always willing to pick up the pen and help, even if it's an unsexy project that you guys are just having trouble getting staffed internally with your own volunteers. I think Mason, Steve, Marie, Mark—anybody—should feel free to reach out to me, and I'll make time to do it. And so I think that that's a second thing I can do.

And then a third thing that I can do is I think I can just build some cultural bridges between our disparate groups. We're a weird house. We're a bunch of people who don't fit. And the lines have blurred over the years. I mean, GoDaddy is a great, big registrar. It's also a host. IPC members are also dot-brand registries, right? This particular formula—and I know it's going to be looked at in a holistic review—is ancient, right? And so, because it's ancient and we don't necessarily all fit

together as one big, happy family, nor have we ever, I don't think, one thing I can do is be available, listen, try to break down walls of suspicion, and get people talking. And, Marie, I think we did that at the special council session. And I think people really loosened up, and they were willing to share.

So those are the things in my role. I don't want to just be some uncle in the attic that you guys call down when you need a tiebreaker vote. I want to be with you and working with you and partnering with you on these things. And the more I hear from you guys, the more I know your point of view. That matters, I think.

So anyways, that was a longwinded answer. I said two seconds, and it turned into two minutes.

So anyways, thanks, Steve. You've been patient.

STEVE DELBIANCO:

Thanks, Uncle Paul. I wanted to ask you whether the council's moral authority role is going to weigh in at all on the contract amendment process that CPH is now doing on DNS abuse. Does council perceive itself as a simple spectator or a more active participant or advisor to that process using this moral authority, reasonable role? Thank you.

PAUL MCGRADY:

Thanks, Steve. I have to be a little careful because I'm not Seb. I'm just Paul. But I would say that I think a lot of the formalities around process flow are breaking down. And I think everybody recognizes these are the contract negotiations, and those have always been kind of bilateral or

trilateral, depending on the nature of the contracts. But there also is some—how do you say it?—history of public comments from time to time on those. There has certainly been some history of informal sharing of views and thing like that. I would not be surprised at all if the council takes a special interest in how those work themselves out because we did do DNS abuse work. But I just don't know what that looks like yet. I don't think it's going to be a free-for-all, where everybody has a seat at the table, but I also don't get the sense that, in the current environment, it really can be completely closed off either.

Anybody that listened to the—and this off-topic, but it's an example—last GNSO Council call will hear all the surprise and exclamation—me included—that something as straightforward as the closed generics discussion is being held behind closed doors, and we don't get it. And I think that a lot of us are asking ourselves, “Well, how do we” ... Again, not a seat at the table not haggling over clauses with ICANN directly, but how do we all just stay informed of what's happening and then use the informal connections between people to just share views and express things? And that's something that I feel very comfortable doing. If I see something that's weird, I have no problem calling up friends over on the contracted party side and saying, “Why are you guys pushing for that? That doesn't make any sense.”

So will that be done as a council umbrella? No sure yet. But, Steve, we'll ask that question on the next call.

STEVE DELBIANCO: Great. And before you do that, be sure you look at the letter that the IPC, BC, and ALAC sent to ICANN last week, where we expressed a little bit about the process and a little bit about the priorities for this contract negotiation.

PAUL MCGRADY: Yeah.

STEVE DELBIANCO: It's very subtle. There's some observations in there about ICANN going into this with the notion that it may well have to represent some of the priorities and interests of the community before they negotiate because if all they is negotiate behind closed doors and then roll out the amendments for public comment, it's too late. They've already been agreed to. We've not found that process to be very satisfactory in the past. Thank you.

PAUL MCGRADY: Yeah. Again, I don't have any particular knowledge that it's going to be different than the closed doors. I get the sense that, in the current environment, it won't be ... Like I said, seats at the table for everybody, but it's going to be something different.

STEVE DELBIANCO: Well, the BC letter ... That's why I want you to read it.

PAUL MCGRADY: Yeah, I did.

STEVE DELBIANCO: We didn't ask for a [seat] at the table. All we said is [give us] some priorities to feed into Org because, if Org doesn't represent the community's needs and priorities, who will?

PAUL MCGRADY: Yeah. Steve, I read it before the IPC sent it out. Yeah, so I got you. I'm listening.

STEVE DELBIANCO: All yours, Marie.

MARIE PATTULLO: Thank you. Segueing from this to others, but while I've still got Paul, one of the thing you raised, Paul, is that you are of course the NomCom counsel for the entire non-contracted parties, which includes our friends in the non-commercial. You're quite right that one of the thing we did in council SPS (Strategic Planning Session) back in December was talk to each other. I wonder if the things that we raised there ... Some of you may remember we used to have an intercessional meeting, where the Non-Contracted Party House got together. And frankly, it was a waste of three days of everybody's life. Nothing ever actually happened, apart from people having argument, and popcorn sellers selling a lot of popcorn. What we did try to agree on at that session we had in December is that we should at least try either just before the public

meeting—so before Cancun—or sometime at Cancu to get together as a house.

Now, I don't know how you guys feels that we should throw this into the planning. Tim, I'm looking at you of course because, as CSG liaison, a lot of that will go through you. I think it is personally, as Marie, something we should do because, if you sit down and talk to humans, going back to my usual [mentor], we've got chance of actually getting something together. And I know that Mark is very much involved with that in well. How we put that into the planning, how we actually do it, I don't know.

But, Paul, have you heard anything about the non-commercial side about that? Thank you for having your hand up.

PAUL MCGRADY:

Thanks, Marie. I have not heard anything further from them about that. They're generally pretty quiet. I think that should be one of the action items that we have Seb follow up on for us (to bring them back to the table) because who knows how their own people reacted to that idea? But this is—and I don't know if this is somewhere else on the agenda, and I apologize if it is and if I'm jumping ahead to something ... But one of the thing that Mason and I talked about on our last chat is that there is house business that needs to happen—for example, Board Seat 14. That has to happen. And so, from my point of view, that could be a great way to have a house meeting and try to reach an agreement on something like that instead of 1,000 e-mails and phone calls and back-and-forth.

And I told Mason that, in my role as someone who's supposed to be listening and helping everybody, I would be happy to serve as a neutral chair for that kind of meeting—literally, neutral (“Oh, look your hand is up. Oh, your hand is up. Thanks for that comment. Your hand is up.”)—and to serve in that kind of role to move something like that forward. And I think that we could do that if we had house parties every quarter. That actually may go a long way to breaking down some of these barriers because, when you really get to know everybody, they're decent human being. And I think that they are trying to solve thing. They're just coming at it from a completely different point of view. But I think it's worth the effort. I think it is. Even if we don't solve the world problems, at least we can like each other better. And I think it's an important thing for a volunteer force, like we are.

MARIE PATTULLO:

Thank you for that.

Handing it back to you, Steve. But can you bear that in mind with the planning for Cancun? Thanks.

STEVE DELBIANCO:

Thank you, Marie and Uncle Paul. I appreciate it.

There are a handful of other activities related to council that we always summarize in the policy calendar. One is the closed generics, and Tim is going to cover that update in his section.

The Transfer Policy Working Group. Zak, I'll ask you now. Is there anything that you or Arinola want to add?

Okay—

ZAK MUSCOVITCH: Thanks, Steve. A little slow unmuting myself. Sorry, Steve. Nothing to report this time. Having some difficulties within the group in terms of what's on the agenda and the scope of discussion, but hopefully we'll work through that, and Arinola and I will have something to report shortly. Thank you.

STEVE DELBIANCO: Thank you, Zak. I appreciate it.

Lawrence, would you like to update anything on the guidance process for applicant support?

LAWRENCE OLAWALE-ROBERTS: Yes. Thank you, Steve. And it's good that we also have Paul here. He serves as the GNSO Council liaison to the GGP.

So at our last meeting, we had a presentation around ... Just before that, there's been a letter that Mason collated to members on BC private list. It's a letter from the GGP seeking additional subject matter experts if we have any that we feel can contribute to the process.

We have some ongoing collaboration on the process so far, and it's interesting to note that a member had shared a study that was done by Andrew Mark from AM Global with regards to the thinking around the

outreach and the process that took place just before the guidance process itself kicked off.

I think, in this regard, it might not be out of place if, for instance, the BC decides to push forward the names, such as Andrew Mark, as additional subject matter experts to the GGP, where the CSG is amenable to that process. But that's the kind of response—or, rather, that's the kind of feedback—that the GGP is expecting with the letter that is sent out to the SOs and ACs with regards to subject matter experts. We have quite a number of other experts. That's not to say we don't have them. We do have a number of them, but I just put that as an example because of the ongoing discussions and reference to the work that Andrew did. So definitely the GGP is expecting the feedback from the BC with regards to subject matter experts.

Now, aside from this, at our last meeting we had an interesting presentation around pro bono support that went with the applicant support process. And we basically just found out that it was a process that wasn't tracked by ICANN. Organizations [and friends] could volunteer services, but there was no way to track if any of the applicants actually utilized that support or to what extent the support did help applications because, for applicants to put a very good application—so to say a justification for the business case or whatnot—it is expected that, if they had used to the pro bono services, we might have had more applications in and maybe, rather than having just the [dot-kids] go through that process, there might have been more applications that qualified. But the group is collaborating on different issues that we believe can help make for a better process. And I will definitely be writing back if there's any more information to add.

Not to belabor Paul, but it's a good time to also chip in if you have anything else to add.

STEVE DELBIANCO: No time on that.

LAWRENCE OLAWALE-ROBERTS: Alright.

STEVE DELBIANCO: We used too much time and I need to turn it over to Tim Smith to cover Channel 3, the CSG. Thank you.

TIM SMITH: Well, I'm not going to take too much time. But anyway, thanks for that, Steve. The report you have I provided in the policy calendar. Not too much to report on closed generics, other than that I believe the face-to-face meeting, which was sort of the culmination of the process of the past few months, took place last week, January 26th and 27th, I believe. So I haven't heard an outcome of that, but I believe that that was going to be where the framework that the group was working was going to be submitted for review to the Board or at least finalized. And as of my last conversation with Philippe, it looks like there could be something that's going to be presented to all of us or to the community around the time of ICANN76. So we'll keep our eyes and ears out for that.

As far as Work Stream 2 goes, there was to have been a January 31st—so two days ago—deadline for commenting back to Org on this, and CSG has not fully reviewed the seven outstanding recommendations. So I'll be closing the loop with the leadership at CSG to get their views or how views on how to proceed. But as you can see, these were all related to Recommendation 6, and these are not mandatory components. They're all shoulds, things that we should be doing. So I did just lay them out for you to look at. You can see the full report at the link that I provided, though. So I don't know if there's anything really needing to be covered off on any of that.

So let's move on—

STEVE DELBIANCO:

Tim, before you move on, I wanted to mention to everyone that the CSG is a very lightweight structure. We're not like the NCSG. So we don't actually have officers of the CSG. We don't have meeting of the CSG. We don't have a website. We don't necessarily have to take on all of the Work Stream 2 recommendations for an entity that really doesn't exist as an entity. The CSG is a label, and it's up to the three constituencies to implement the best practices.

TIM SMITH:

Thanks, Steve. Thanks for that. And to that point, the BC ExComm did review the outstanding recommendations and did submit by the January 31st deadline.

Okay. Moving along, I guess the last thing is Board Seat 14, and that's sort of ongoing discussion that's taking place within the ExComm right at the moment. Not too much to report on that other than that the candidates are being identified and are being interviewed. And we've also have gone back to NCSG to ask them for any new candidates they may want to bring forward and then also their view on the incumbent, who is Matthew Shears, who's in the role right at the moment. So we'll be dealing with that over the coming weeks, probably culminating up towards ICANN76.

Steve did put a procedure for ... Is that the procedure you put in the [inaudible] in there, Steve? I'm not sure what that was.

Yeah. For Board Seat 14, yeah. So the procedure is there for you to review. But not too much to report on the actual candidates.

But Paul was mentioning earlier the concept of house parties. I'm a big fan of house parties, so I think perhaps that's something that we will present to the CSG to see if there's an NCPH house party that we can have on or around ICANN76.

Other than that, I guess two meetings to mention to you related to ICANN76 is that the GAC Public Service Working Group has now schedule a meeting—we've scheduled the meeting—with CSG for March 2nd, just, I guess, at the end of Prep Week. So that's 9:00 A.M. my time. So that's 15:00, I believe, or 14:00 UTC. But you should be seeing a notice on that or invitation to that.

And then the other meeting. There is the BC open meeting, which will be on Monday during ICANN—Monday the 13th I guess that is—at 1:15

Cancun time. And then there's also a CPH and CSG meeting that will take place on Wednesday, March 15th, at 4:30 in the afternoon in Cancun.

So those are CSG and BC activities upcoming. And I'll take any questions that anybody has. Otherwise, Steve, I'll turn it back to you.

STEVE DELBIANCO: Thanks, Tim. That winds up the policy calendar. Back to you, Mason.

MASON COLE: Thanks, Steve. Thanks, Tim. I appreciate it very much. We have eaten up quite a bit of time on the policy discussion today, but there was a lot to cover. So thank you very much for that.

We have ten minutes left on the call. Lawrence, I hate to shortchange you again, but are there any priorities that you would like to discuss on Item #3 for finance and operations, please?

LAWRENCE OLAWALE-ROBERTS: Yes. So thank you, Mason. I will just start with a reminder of the fact that registrations for ICANN76 in Cancun are ongoing. And it's an important process for those of us who'll be there physically and those who would also need to connect virtually.

Also, like we discussed at the last meeting, hotels are filling up pretty fast, so if you're making plans to be there physically, you might also

need to quickly double up on that so that you get a good place for staying.

For the additional budget requests, the BC put in three applications before the cut-off date. All three are not entirely new: a proposal for the outreach materials that get printed on an annual basis, a proposal for improving the costs that we have on ICANN Learn. And the top proposal was for the BC leadership development program. The fourth one didn't appear to have a big appetite within membership to push that forward, which was supposed to be a major outreach event.

So based on the submission we made for the BC leadership development program, it's going to involve the BC staging at least three different webinars. The target will be the coming financial year. I will guide with the dates that we're proposing for these webinars. And these would be webinars around subject matters of interest for the BC which we call the BC hot topics—topics such as the NIS2 developments and evolution as it impacts ICANN, DNS abuse, and any other topic of interest like the upcoming amendments to RAAs as things that we can decide to collaborate with the wider community around in terms of discussing how this effects especially businesses in a webinar format. Once the framework is fully run through ExComm, members will be informed on modalities going forward.

We have one availability for a CROP slot. One of the slots has already been allocated to [Caroline]. And for members who are from not America, to be able to utilize, we're looking at a member from North America to be able to utilize the CROP slot for ICANN77. So please, if you are interested in physically being in Washington and would like to

be supported, be there, and travel, and have a hotel to cover three nights, reach out to me via the ExComm e-mail, and we will take it further from there.

So to that cause, we are looking at the possibility of having a BC outreach event at ICANN77 in Washington, and we would love to have members, volunteers for membership, especially members who are within the Washington area or within that region who will not only help in organizing the outreach but also mobilizing businesses that are fit for BC membership to be at the outreach. That's for ICANN77.

For ICANN76, which is a few weeks down the line in Cancun, the BC is also trying to put together an inreach event. That will be basically for members to physically come together over drinks in one night during the week-long event to just get introduced to each other, have some discussions. And we are hoping that we can also have, within the facility, a [venue of use] other members of the community—the NCSG and the GAC—identified. Once we have all the plans put together for the BC inreach event, we would definitely let you in on all the details. But this would possibly happen in the first few days that we all gather at Cancun.

Aside from this, we are still working on the production of the ICANN76 newsletter. Please, we want to encourage members to put together articles that we can feature in our newsletter.

And then, finally, in regard to Work Stream 2, the Work Stream 2 recommendations for the BC will demand that the BC puts together an operating procedure, something that will not require us tweaking and

changing the charter on a regular basis. And so once we have the details [inaudible] by ExComm, we'll also be writing back to membership on what will be covered within the operating procedure. And there would also be the likelihood of taking a shot at amending some sections of our charter to remove the general coun[sel] and probably [inaudible] the new committees that we have into the BC charter. That's a legal process because it requires Board approval. But for the operating procedures, everything within the operating procedures would be amendable by the BC membership.

If you have any questions, I would be happy to take them. Otherwise, I will yield the floor back to Mason.

MASON COLE:

Thank you, Lawrence.

Any questions or comment for Lawrence, please?

Okay. I don't see any hands.

Alright. Three minutes to go. Any other business for Item 4 on the agenda, please? Any other business for the BC this morning?

Alright. Before we adjourn, Paul, anything you'd like to add before we adjourn the call?

PAUL MCGRADY: Just thanks for including me. I learned a lot, as I always do. And please be in contact. And also, if you guys just need somebody to pick up the pen, I'm your guy.

MASON COLE: Get your pen ready. It's coming.

PAUL MCGRADY: Alright.

MASON COLE: Alright, friends, we are at time. And it was a good, productive meeting. Thanks very much. We had a lot to cover.

And let's see, Brenda. Our next meeting is Thursday, the 16th of February? Is that correct?

BRENDA BREWER: Yes, that is correct. Thank you very much for asking.

MASON COLE: Alright. Thank you.

So we will see you in two weeks' time. In the meantime, watch the list because there's a lot of activity coming up. And thanks to Brenda for the support, and for Paul for joining us today. The BC is adjourned. Thanks, everybody.

[END OF TRANSCRIPTION]