

BRENDA BREWER: Good day, everyone. This is Brenda speaking. Welcome to the BC Candidate Membership Call on 22 August 2024 at 14:15 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. I'll turn the meeting over to our BC Chair, Mason Cole. Thank you.

MASON COLE: Thank you, Brenda. Good morning. Good afternoon. Good evening, everyone. This is Mason, Chair of the BC. Welcome to our call on 22 August. We have a different agenda today because we are accommodating candidate statements for the role of membership in the Finance Committee. And we'll do that for as long as it takes, really, but remarkably, we don't have every candidate on the call right now. And once the candidate portion of the call is finished, we'll move on to the regular agenda of the BC with a policy calendar review and then a finance and operations update from Tim. The agenda is on the screen. Are there any updates or additions to the agenda before we begin, please?

Okay. I don't see any hands. Thank you very much. All right. So, we have a little bit of a conundrum here in that we don't have every candidate on the call. So, what we'll do is we'll proceed with the candidates who are on the call to provide their statements. Not every candidate also has provided a written candidate statement. Brenda and I checked the BC charter, and we don't think that anyone is precluded from standing for

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the election by virtue of not providing a charter or a written statement. However, in fairness to all candidates who have provided a written statement and have followed Brenda's timeline, we're going to recommend that anyone who still is interested in standing for the finance committee who has not provided a written candidate statement do so within 24 hours, and then we'll conduct the election from there. That's the process. I don't care to repeat, just out of fairness and order for the BC and for all candidates, but does anyone object to that procedure as we go forward, just so that we can go ahead and conduct the election? I'm happy to entertain any discussion on this before we proceed. Arinola.

ARINOLA AKINYEMI:

Hello. Good day, everyone. I would like to believe that a timeline was given. I've been in the BC for about 10 years now and we've always had written candidate statements. So I'm just wondering why we would want to change that now. The purpose of the written candidate statement is, in fairness to all, for us to be able to reach out to the membership of the BC, just in the standard procedure we've always adopted, and I think even in the ICANN ecosystem, the same thing applies even in AFRALO, ALAC, and all other places I have been privileged to be able to participate in, so I'm just wondering why we would make an exception this time around.

MASON COLE:

Thank you for the question, Arinola. We are flying a bit by the seat of our pants here, and I want to be fair to everyone. We received

candidate statements from Jimson, Arinola, Chris Chaplow, and Segunfunmi. Arinola, you're on the call. Segunfunmi is on the call. Lawrence is on the call. Yusuph is on the call. We do not have written statements from Lawrence and Yusuph. Brenda has got the election timeline up on the screen. Folks, I'm sorry for the confusion. I'm trying to be fair to everyone here. So we can either take a bit of a hard line and say, if you don't have a candidate statement submitted, you're now ineligible for election, or we can, you know, grant a brief grace period for provision of statements and then proceed from there. So why don't I just ask this? Do the candidates on the call who are Lawrence and Yusuph, do you all intend to continue to stand for the election, or have you decided to withdraw? Oh, sorry. Jimson, go ahead.

JIMSON OLUFUYE:

Actually, the process is clear. So we cannot change the rule in the middle of the game. The requirements were clear. Candidate statements. That is how it's been done. If you don't submit candidate statements, it means you are not interested. We have four candidates. So they can go ahead and make their presentation, and they are the ones eligible to stand for election. That is from my reading of the situation.

MASON COLE:

Thank you, Jimson. All right. Any other input? Again, folks, I'm sorry for the confusion here. But again, we're trying to be fair to everyone. So Arinola and Jimson are on record basically saying that we should follow the procedure as Brenda has outlined it on the screen. And if we don't

have candidate statements in place, then we should proceed with the election with candidates who have provided statements. Tim, go ahead, please.

LAWRENCE OLAWALE ROBERTS: Sorry, just before Tim. So for me, there was a bit of confusion. The Finance Committee is supposed to be in place for three years. And by virtue of the fact that I was the Vice Chair of Finance and Operations and invariably the Chair of the Finance Committee for the last three years, despite not being elected [inaudible] I know that there is a people who are currently standing. And I have not yet gotten some clarification in that regard. I'm not really sure if I was even eligible to be on the ballot for the Finance Committee. But be that as it may, I will step down my interest in terms of formally being on the Finance Committee, not just because I'm currently on ExCom, but because I can continue to provide inputs to whatever it is that is the requirement going forward, even from my standpoint as a membership. So if Yusuph still wants to continue—I don't think Tola also provided a statement of interest. I didn't see any. If they are also interested, I'm sure before the election starts, there could be a waiver given to them to provide their candidate statements if they want to continue. But I think more than that, we should also be guided on members who have served three years and if they are eligible to continue to serve on the Finance Committee. Thank you.

MASON COLE: Thank you, Lawrence. All right. So we now have the situation where Lawrence has decided to stand down from candidacy for the Finance Committee. Thank you, Lawrence. Tim, I wanted to go to you. You had your hand raised prior. Go ahead, please.

TIM SMITH: Yeah, just trying to get some clarification where we're at right at the moment. So Lawrence has withdrawn his name, as I understand it. You asked the question also of Yusuph, whether he was standing or whether he would withdraw. So I think we need to get an answer to that. And I see Tola is not on the call. He was the other person who had expressed interest in being part of the Finance Committee, but is not on the call and did not submit a candidate statement. So we need some clarification on the interest. But let me also say that according to the BC Charter, that the Finance Committee is to be made up of up to four volunteers. We only go to an election if we have more than four volunteers. So it's four volunteers and the vice chair of finance. If we're at a position where we have four volunteers, then now we're at a position where there's no need for an election. So I think once we get a clarification from Yusuph, then we know for sure. But I do take both Jimson and Arinola's point about a timeline being given and reminders being sent to the other candidates.

MASON COLE: Okay, thank you, Tim. Yusuph, could we have input from you, please? Would you intend to continue to stay?

YUSUPH KILEO: Okay. I saw there was a number of people already on the list. So I spoke with Tim, we had a conversation. And I said, if the number will not be enough, then I'll be able to continue with the committee. So I'm open to support the committee.

MASON COLE: Okay, so Yusuph, we have a situation where if we do have four volunteers who have followed the procedure in terms of providing a candidate statement on time, do I understand what you're saying to be since we have four, then you're okay not standing? Or do you intend to continue to try to stand?

YUSUPH KILEO: If the number is enough, then it's okay. Let them proceed. I'll support other committees.

MASON COLE: Okay. All right, Tim, we may have resolved the issues. Are we in agreement, then that we have nominations in good order from Jimson, Chris, Segunfunmi, and Arinola? Tim, can I get your confirmation on that?

TIM SMITH: Yes, those are the four that we have a candidate statements for. And those are the four people who have expressed interest in being part of the Finance Committee. So I think based on that, happy to hear from everybody. But I believe we have our four volunteers for the committee.

MASON COLE: All right. Well, since we have a bit of time allocated to this, Brenda, I might suggest that you take the helm for the call for at least a brief moment to see if candidates would like to say anything about the Finance Committee or their involvement. It appears that we don't need to conduct an election at this point. And then we can continue the rest of the meeting. Wait, I'm sorry, Asteway has his hand up. Go ahead, please, Asteway.

ASTEWAY NEGASH: Yeah, I just want to make this, what Lawrence has suggested, I just want to make it clear. Lawrence, are you suggesting that as a suggestion that a BC member has to serve three years in order to be eligible for election? Or is that a policy written somewhere or defined by the members who are accepted in any way?

LAWRENCE OLAWALE ROBERTS: Yeah, thank you. So according to the BC Charter, there should be an election every year. But after three years, a member who has served on any of the committees, especially the Standing Committee, is no longer eligible. So we have a few members who had to retire of the Finance Committee based on that and are rejoining the committee. I'm not sure that they are impacted. But for those who are standing and existing members of the Finance Committee, I'm not so sure about the three-year timeline. I'm not too confident on when Chris Chaplow or Jimson joined the Finance Committee. But as long as it's not up to three years, then they are eligible to be re-elected. I'm sure Brenda had checked and

had validated that they were eligible to be on the ballot for this particular year that we're working with. But that's the Standing Committee on the Charter.

MASON COLE:

Thanks for that clarification, Lawrence. All right. Very good. Brenda, why don't you take the chair just for a moment and let's hear from candidates if they'd like to make a quick statement, even though we now apparently don't need to conduct an election. And then we'll proceed with the rest of the meeting.

BRENDA BREWER:

Thank you, Mason. This is Brenda speaking. And as Mason just suggested, we can open the floor for the candidates to have a follow-up statement if they wish. And I can announce by alphabetical order. So, Arinola, do you wish to have any comments at this time?

ARINOLA AKINYEMI:

Thank you, Brenda. I would want to say a few words. First and foremost is to say thank you to the BC once again. It's always a privilege to serve the BC in any capacity that I think that I can. Like my statement says, I've served in the Finance Committee sometime back. And when I got term limited, I left the committee. Today, I find myself back there. And I'm hoping to be able to give my optimum to the BC as I always want to do. The engagements today have been very interesting. And I want to thank Lawrence and Yusuph for your understanding and your sportsmanship during this. It's better we do it right without sentiments than we get it

wrong. And then we have to start retracing our steps. So, thank you both. It's always a pleasure working with everybody. Thank you.

MASON COLE: Thank you very much, Arinola. And next, we will offer the floor to Chris Chaplow.

CHRIS CHAPLOW: Thanks, Brenda. Chris here. I just really would just underline what I said on my candidate statement that I was happy to stand on the Finance Committee. Particularly, I was the first acting Finance and Operations Vice Chair. So, we're talking about budgets and very often, the numbers, the dollar numbers actually don't mean anything. It's when you see the change of numbers over time, either upwards or downwards that they flag at you and you say you can ask questions as to why those numbers should be different and so on. So, I thought I could bring a historical perspective and help the Finance Committee in supporting Tim as Vice Chair. So, I thank the BC for that and the members for their support. Thank you.

BRENDA BREWER: Thank you, Chris. And I will now open the floor to Jimson Olufuye.

JIMSON OLUFUYE: Okay. Thank you very much, Brenda. And greetings to everyone. My name again is Jimson Olufuye. I had the privilege of serving for seven years as Vice Chair in Finance and Operations. And before then, another

two years, nine years, I actively commented on almost majority of the majority of the policy issues in terms of finance and operation. I was very, very active and I took it backstage so that others can come forward. Well, over the time, 2000, that I left, I now saw that there was a challenge with knowing what is going on in terms of our detailed financial situation. And that was why I was curious. I was wondering what was happening and it was violating the Charter. So, that's why I stepped up. What is going on? And I always ask this question. The records are there. Okay? The records are there. So, I want to thank the Chair, Mason, thank Andrew Mack, and Mark Datysgeld for their comments. Basically, I don't have any issue with anybody. But if anyone does not respect others, that would be a challenge. We put in our best as professionals. And normally, when you serve, it's voluntary. We respect that. We appreciate that. But respect should be given to one another, and I stand to give respect to anyone that also, you know, respect the others. So we are professionals.

Then let me use the opportunity please to clarify that candidate statement is clearly to express justification to justify why you want to come forward. Ordinarily, I would prefer maybe other people come in and do it, but as I said, I needed to see transparency and get the culture restored back, and that is the basic point. So, I will serve definitely within my ability, and I will continue to mobilize others to serve. Thank you very much.

BRENDA BREWER:

Thank you very much, Jimson. I will now open the floor to Segunfunmi. Please go ahead.

SEGUNFUNMI OLAJIDE: Yes, good afternoon, ladies and gentlemen of the business constituency. My name is Segunfunmi Olajide, and I'm standing to be a member of the Finance Committee. Interestingly, this is my first time of being in the Finance Committee at the Business Constituency, and my interest is that to stand and serve the BC in this capacity, and also to ensure that our finances meet the long-run visions of the business constituency. So, thank you for the opportunity to serve.

BRENDA BREWER: Thank you very much. Now we've heard from our four volunteer candidates for the Finance Committee. And as you can see on the timeline noted on your screen. Oh, we just said no more elections, so I don't even have to talk about elections. Sorry about that. I had my brain somewhere else. So, with that, Mason, I'll turn the meeting back over to you.

MASON COLE: Thank you, Brenda. Does anyone have any questions or comments for our volunteers from the Finance Committee before we proceed? Okay. All right, very good. Let me just say on behalf of the BC, thank you to our volunteers for stepping up and volunteering for the Finance Committee. It's an important role, and I'm sure Tim is going to be grateful for the collaboration and the support. And, Tim, do you have anything you'd like to get across to the BC before we move on with the agenda?

TIM SMITH: No. Welcome aboard. Thank you all for agreeing to serve. I look forward to us getting together. As you know, the Ad Hoc Committee has spent a little bit of time already reviewing past years and making recommendations for this current year. And we'll regroup on those matters in the coming couple of weeks. So, I look forward to getting together and having a meeting with all of you. Thank you.

MASON COLE: Thank you, Tim. Lawrence, go ahead, please.

LAWRENCE OLAWALE ROBERTS: Thank you, Mason. So, I just wanted to say from the standpoint of someone who handled the finance and operations of the BC over the last couple of years, that there is a growing trend, which I believe the members of the Finance Committee coming in should kindly help keep an eye on. This has to do with growing the finances of the BC. For years back, gradually we have seen a decline in the membership strength of the BC. It's a natural occurrence because we see that the policy positions of ICANN itself, to a large extent, doesn't attract long membership. I mean, meet some interests of members within the business constituency. So, to this cause, we've seen a decline in membership, and that has also affected our finances. I believe that the Finance Committee will help a great deal if ways and means of propping up our finances can be on the front burner, as well as helping to continue with the management of what we have. But more than just the budget and planning, it's become pertinent that we also start looking at how to shore up our finances because keeping the trend,

members will continue to exit the BC for other reasons. Just some food for thought. Thank you, Mason. Thanks, Tim.

MASON COLE:

Thank you, Lawrence. That's actually an excellent point. I'm glad you raised it. That is a priority for the BC as we move ahead. So, thank you for raising that. I'm sure that'll be a front burner issue, as you say, for the Finance Committee. All right. Any other input before we proceed? All right. Very good. All right. Thanks, everybody. I appreciate you being patient while we sort things out. And we now have a full-strength Finance Committee, and we're looking forward to their contributions. So, thank you. All right. We have plenty of time left in the meeting. So, we may have an opportunity to adjourn early. We'll see. But let's move to item three. Steve, please proceed.

STEVE DELBIANCO:

Okay. I hope you can see the policy calendar that was circulated yesterday. There are two items that we have filed since the last time the BC got together. The first one was on the 12th of August when we responded to ICANN Board Chair's request for input on the new applicant support program and its use of auction proceeds. And I want to thank multiple BC members who chimed in on this. We had somewhat differing opinions on how strong a position to take. We also had others who indicated we had previously supported applicant support, especially for the business community, and we shouldn't walk away from that. So, I hope that I was able to strike a balance, because that's what the role of policy coordinator has to do, which is to indicate

a tough-love approach for the use of these auction proceeds by saying that ICANN needs to install some accountability to ensure that the money goes to good use. We raised concerns all along about the need for the businesses who apply to be eligible for applicant support, because businesses will know more than nonprofits in general on how to do it. So, I want to thank all the members who helped, David, Lawrence, Andrew Mack, Steve Crocker, Ching, and Sven. And I am happy to take criticism if some of you feel that I didn't walk the right line on that. So, I'll take a cue. Any concerns that folks want to express? Or are we good? Keeping an eye on the chat here.

STEVE CROCKER:

This is Steve Crocker. I'm one of the people you referred to as having a possibly differing opinion. I thought you handled it very well, Steve, and I'm quite comfortable with what was submitted.

STEVE DELBIANCO:

Thank you, Steve. Appreciate that very much. Tripti acknowledged receipt of the letter. It's on the ICANN correspondence page. Thank you. And then, on the 16th of August, just a few days ago, we filed a comment on the Hans Script single-character IDN gTLD. Ching, thank you for drafting, Asteway, for providing some input to Ching, and it looks like as it moves to the next level, we'll be able to incorporate some more of the things that Asteway has in mind. But thanks again, Ching and Asteway, for pulling that together. You guys are invaluable resources when it comes to IDNs.

On August 1st, I told you that we filed the Bulgaria comment. That's on our website. But on July 31st, Mason sent the attached letter to the board chair. It was a follow-up to Tripti's invitation. Mason, in the interest of transparency, I've got to be able to have that somewhere. I don't see it on the ICANN correspondence page. Do you know why that's not there?

MASON COLE: No, but I'll be glad to share it with BC.

STEVE DELBIANCO: Well, you already have. It's attached. I shared it a few weeks ago. I'm just saying that if somebody went to the BC website or the ICANN website, I'm not sure that they would see either. And I believe it has to be in either place.

MASON COLE: I'll follow up. Thank you for the notification.

STEVE DELBIANCO: Right. And if correspondence is not going to post it, then I'll stick it in the BC positions page, which is not nearly as obvious to the whole world, but it's fully transparent to the BC membership. And we'll have honored our commitment to the BC. That's adequate as far as I'm concerned.

MASON COLE: Very good.

STEVE DELBIANCO: Okay, then let me pop into the new open public comments. So we have one on Latin script diacritics, the little marks that are over certain letters in the Latin script. Mark Datysgeld and Vivek, both of you guys have volunteered to pull that together, and I know that you've already started a draft. I've attached it to here, and I'll turn it over to you, Vivek, if you'd like to say anything about the current draft, because it's going to close in about five days. Go ahead, please.

VIVEK GOYAL: Thanks, Steve. I think Mark had written fantastic comments. It covered everything. I remembered that when Ching had written the comments about variants for IDNs, he had made a statement that variants should not be charged separately and should not be treated as a separate EPP transaction. So I borrowed that and added it to this discussion because it will make our statement consistent across variants, and that was my contribution. Happy to hear from other BC members and see whether they agree or they have any diverse views. Happy to take it into consideration and update this comment as for the feedback. Thank you.

STEVE DELBIANCO: Thank you, Vivek. Do you believe that ICANN will conduct a tightly focused PDP? It's what I have on the screen right now. Is that a reasonable expectation, or is anyone else talking about a PDP?

VIVEK GOYAL: I don't know, Steve. I haven't heard much chatter either way yet, so I think it's wait and watch for everyone.

STEVE DELBIANCO: And it's fine for us to propose it. I'm just wondering about its reasonableness. I would suggest changing what you guys have filed. BC members, since this is going to be filed on the 27th, we won't have another meeting. I can put out a last call in a day or two, but this is a great chance to ask the author about whether you have any particular issues. On the screen right now are some of the examples of Sao Paolo, with or without the – is that an ã? I don't think so. What is that called for our Portuguese speakers? That little symbol over the A, but that's an example of these diagrams. Tilde. Ah, tilde. Got it. And then on Quebec, you see it with or without the accent mark on the E. Andrew, this is something I know you understand pretty well. Have you taken a look at this comment? Do you feel like we've got it pretty much together?

ANDREW MACK: Steve, let me take ñ I'll have to take a quick look at it, but I can get back to you within the next day or so.

STEVE DELBIANCO: Good. Excellent. And if you have any comments, circulate to the whole BC private, please. Vivek. Go ahead.

VIVEK GOYAL:

Yeah. Just wanted to add that the Quebec has received a lot of discussion. I think in every ICANN meeting, there has been one discussion about the two variants of Quebec, and there's a lot of push to get this done quickly. So maybe that could be one of the ways in which this whole thing gets settled quickly, using Quebec as a reason to move it forward. But either way, this should be resolved before the next round. Otherwise, there will be a lot of contentions and challenges going forward. So thank you, anyone who provides feedback on this.

STEVE DELBIANCO:

Thank you, Vivek. Turn to the next one. This is the data processing specification. We used to call them data processing agreements. And it's closing on the 9th of September. So we have time to have another call before then. But Segunfunmi, Margie, and Steve Crocker have currently worked on the draft, which is in the Google Doc highlighted right here. And you guys were making some edits as frequently as just yesterday. So I'm happy to give Segunfunmi, Margie, Steve an opportunity to say anything. Just look for a raised hand if you'd like to talk about what you have. But the BC members may or may not have looked at what I circulated yesterday.

SEGUNFUNMI OLAJIDE:

Okay. I think we have made significant progress as regards drafting the DPS. And we've got an input, which I'm sure we'll be able to finalize before the time given for us to complete the comments.

STEVE DELBIANCO: Thanks, Segunfunmi. I have them up on the screen. And Margie, your hand is up, please.

MARGIE MILAM: Thank you. Hi, it's Margie. We've been taking a look at this and I've added a few comments. What I added to it specifically was just calling out things that are important to the Business Constituency, such as ensuring that there's enough information provided to ICANN in order to do audits. And I also highlighted the research issue because as many of you may recall, the accuracy scoping team made a recommendation on conducting a survey, which apparently is on hold because ICANN does not have access to the information. So the kinds of comments you'll see in this document highlight some of the positions that the BC has taken in the past just to ensure that the DPA supports these important needs. And then the other point, I think if you go back up, Steve, compliance with law, if you take a look at the specification that is published, it identifies a series of purposes, and I believe most of them track back to the EPDP report. But the one that I wanted to highlight was ensuring that the DPA also covers information that is needed to comply with law, especially since we are aware that NIS2 is going to require additional requirements beyond what the consensus policies require. So we just want to make sure that the specification supports essentially the operations and implementation of what's needed for NIS2. So those are a few of the call-outs I'd just like to highlight for the group.

STEVE DELBIANCO: I mean, it's essential for us to bring up NIS2. It really is. We've been saying for four years that it would change the way GDPR has been interpreted. Let's keep beating that drum. Margie, thank you for your work on this. Any other questions or comments on this draft?

STEVE CROCKER: The particular concern I've had about the multiple pieces of this proxy and accuracy and so forth is that the pieces should all fit together to try to reach a consensus piecemeal, and saying, "Yes, we'll adopt this, or we'll adopt that," without seeing how all these pieces actually interplay strikes me as a not sufficient solution. I feel pretty strongly about this, that until one can see how all the parts fit together, it's impossible, or at least unreasonable, to declare success on any of the pieces, because then when you raise the question later, the response is, but we agreed on this. Well, if we agreed on nonsense, that doesn't help at all. That's my concern.

STEVE DELBIANCO: Thank you. Steve, on the screen, you may not be able to see it, but on the screen, I've highlighted the whole section on privacy proxy services. You're an editor contributor to the Google Doc. If you feel like we need to sharpen that point, Margie's got a comment in there supporting it, but we can sharpen it further. This is the time to do. We've got a couple of weeks before it's due. Please do.

STEVE CROCKER: Yeah, I can't do it this minute during the call because I'm on the road, but I will take a look at it when I'm back at my desk. Thank you.

STEVE DELBIANCO: No, thank you. Appreciate the work on this. All right. I don't see any other hands up, so I will come back to the policy calendar now and move on to the next one, the independent review process. Remember, this is called the IRP, and we have an opportunity before the 16th of September to comment on processes that ICANN wants to do to update the supplemental procedures. Chris Wilson of Amazon put together an outstanding outline. Chris is on vacation right now and not on the call, but his outline is one that should drive where we go on it next, and I'd really love to see us help Chris to turn that into prose, turn that into a comment. I had asked for volunteers I'll ask one more time. Would anyone else be willing to help on the IRP? Somebody with experience would be best where you've been on one end of an IRP in the ICANN context. Looking for a hand or a comment. I realize it's not something everybody works on.

Okay, and the next one up. There is a small change to the fundamental bylaws of ICANN in order for them to restrict whether a grant recipient would be allowed to take those funds and use them to do a challenge, an accountability challenge, on whether their application to be a grantee was approved. This is supposed to be the board and org narrowing their focus instead of what they had done in a previous attempt. Remember, the previous attempt at this had partly given rise to the IPC doing a reconsideration request and being very concerned that ICANN legal was trying to sneak through significant limits on our

ability to challenge their decisions, and they were doing so into the context of this grant program. And I think what the board did was they withdrew that and have reissued a much narrower and frankly it looks to me like an appropriate way to put it. In other words, they're going to add only that the accountability mechanisms should not be used for claims or disputes quote relating to decisions to approve or not approve an application to the grant program, end quote. That feels narrow enough, and that I would recommend that the BC approve that. So this would be a great time to tell me whether you think that's a good idea or not. I'll take a queue. Mason, please.

MASON COLE:

Thanks, Steve. By your interpretation, would this satisfy the concerns of the IPC who raised the issue in the first place?

STEVE DELBIANCO:

That is a great question. And I don't know. So let's figure that out. Because remember that the IPC was worried about the process and the principle of how this was being done, and that the board ended up telling the IPC you don't have standing. And we agree with the IPC that that's a stupid conclusion. And yet, this doesn't actually get to the standing issue at all, because that was a reconsideration request. So why don't we do an outreach on you and I should just fire an email over to IPC and see what they're willing to say about this. And we'll do that and follow up with the rest of the DC we have plenty of time. Any other comments or questions on this. Let me just make a note about IPC follow up. Great. All right, next one up.

There's a lot of open comments, surprisingly. Fortunately, the next one is something that Tim and Segunfunmi have well under control, which is trying to come up with a draft BC comment on this strat plan and op plan, which is closing on September the 17th. I know you guys are already at work on that. Do you want to note anything for your colleagues, do you need more volunteers?

TIM SMITH:

Hi, it's Tim for the record. Thanks, Steve. Just to say we did have a meeting yesterday to sort of plot out how we were going to attack this thing. I shouldn't say attack. It's not a huge undertaking. But I also want to acknowledge that David Snead is helping us with this. So it's Segunfunmi and me and David Snead. So we've divided up the work. Also really delighted to see that the five-year plan is not 300 plus pages, which it's been in past years. So a little bit of a lighter lift for all of us. So we have it underway. Our plan is to have our work completed by the 10th of September, which is a week before it's actually needed to be filed so that others can contribute to it.

STEVE DELBIANCO:

Hey, Tim, and I was discussing with you the last few days that ICANN is requesting that we fill out a form that they've prepared. And I downloaded that form in a Word document. You can move to Google Doc if you wish. But there you can answer just the questions we care about. For the ones we don't, just say no comment needed. And if you choose, you can still submit. General narrative. And I'll package all that

into a PDF that I display on the website anyway where I clean it up. But are you okay with using the form that ICANN is requesting?

TIM SMITH: Yes, yes, we are. We actually discussed that yesterday and sort of laid it out in a way where each of us can actually add our comments into the comment boxes. So I don't know if there's a word limit on that, but we'll see as we go through it.

STEVE DELBIANCO: And by the way, if you did exceed some arbitrary word limit, then screw it. I'll just turn the whole thing into a PDF and send it in that way instead of filling in their form. So don't feel constrained. And are you doing a Google Doc so that all three of you can edit simultaneously?

TIM SMITH: Yes, that's what we've set up.

STEVE DELBIANCO: Invite me to that, please, so I can keep an eye on it.

TIM SMITH: Will do. Great. Thanks a lot, Steve.

STEVE DELBIANCO: And David Snead, thanks for also contributing on that. Okay, last one up here is the transfer policy where we are ably led by Zak and Arinola. And

now we have three other volunteers that are pitching in, Tess, Sven, and Rachel Shitanda. So Zak, Arinola, any report on that process? I know you have a lot of time.

ZAK MUSCOVITCH:

Many thanks, Steve. So the basic plan right now is for, you know, the deadline is September 30th. So we've got plenty of time. And the key, I think, for us is to attend those two webinars or at least see the recordings. And that will help get us up to speed on the report, but also get some insights into any issues other stakeholders see. And so we'll be better able to integrate those thoughts into the BC's comments. But for the time being, what I'm going to do is set up a Google Doc and get the process of writing underway. And I think the heavy lifting is going to occur after the September 9th second webinar in order for us to get the BC a draft in advance in accordance with our bylaws. Bylaws. Thank you.

STEVE DELBIANCO:

No, thank you. And Tess, Sven, and Rachel. Rachel, I know you just got on the phone. Make sure that you attend those webinars. That'll be so key to get you up to speed closer to where Zak and Arinola already are.

ZAK MUSCOVITCH:

And for the record, Steve, I've got to attend those webinars so I can get up to speed, too. Yeah, right.

STEVE DELBIANCO: Okay. Thanks. Thanks, Zak. All right, looking for hands. Not seeing any. I will go to NIS2. And this is the part of the agenda where I just typically turn to Sven, Marie, and anyone else who's following closely the transposition of NIS2 into national law. Do we have any updates?

MARIE PATTULLO: Not for me, Steve. Sven?

SVEN ECHTERNACH: Not for me either.

STEVE DELBIANCO: Thank you both. Okay, next up, council. There was a council meeting on August the 8th. I've indicated the four items that looked like important enough for me to mention to you. The charter for SPIRT, small team, IPC request for reconsideration. That item 10 right there on the screen, item 10, this is the one Mason brought up earlier about making sure we understand whether the IPC believes that that's a separate concern than whether the fundamental bylaw on grant proceeds gets modified. I'd like to offer the councilors an opportunity now to tell me whether, do you want to share anything special about what happened at the council meeting on the 8th or what you expect on the 19th of September?

LAWRENCE OLAWALE ROBERTS: Thanks, Steve. So just to share something of fundamental interest to the BC, which has to do with the accuracy and scoping team work. There

was to be a vote that was [inaudible] down on the invitation of the IPC for it to be further discussed. And the IPC's proposal was for the council to put together a small team of councilors that could look at suggested means of advancing this work further. Aside from that idea, the council also asked that each councilor should get back to their individual constituencies and seek advice on what could be done with regards to advancing the work of the accuracy, the mandate that was given to the accuracy scoping team. Invariably, I think there is an appetite within the council to see that the work that was previously done by the small team is wound down. And basically, you know, just wait until ICANN come with new information that they feel is useful for the work of any small team or group within the community to work with. I believe that a small team definitely will keep this on the burner, will keep the discussions going in terms of, you know, accuracy of registration data. So basically, I believe that a small team engaged on this will definitely keep the discussions ongoing within council. But if they, again, based on interest from the BC, if there are ways or means by which members think that we can put some pressure for action, aside waiting for the NIS2 expositions across different states, we can definitely take that back to council. Aside from that, I think there were just a few other appointments that were ratified, but we'll definitely be voting on this particular issue at the next council meeting. And the vote will be whether to completely [inaudible] off the work of the previous team that was working or basically maybe to constitute a small council team to look at this. The modality for the small team hasn't been discussed. It is going to be expanded to have other members of different constituencies or whether it's just going to be councilors alone.

STEVE DELBIANCO: And whatever the modality, Lawrence, my sense is that the BC would really like to see recommendation two approved, the registrar audits.

LAWRENCE OLAWALE ROBERTS: Okay, so that is noted, Steve. Recommendation two, going by the previous meeting, would have even been voted as resolved based on the fact that ICANN is saying nothing can be done. And that was the reason why we basically aligned with, you know, the IPC to say, let's keep it on the burner rather than vote no further action can be done. So possibly if we go in the line of instituting a small team or whatever mechanisms to keep the discussions going, we possibly might be able to keep that in view rather than having it knocked off by some interests.

STEVE DELBIANCO: Lawrence, you're well aware that NIS2 has its own accuracy requirements. And I'm anxious to see those reflected in what the vote in council is, that keeping an eye on how NIS2 is going to change things should be part of what they vote on or defer. Has that come up prominently enough?

LAWRENCE OLAWALE ROBERTS: Yes, that came up as part of the discussions that possibly we should wait to see how the transpositions go. But I think there is some appetite to quickly close out this discussion such that when where there are expositions that cause there to be some concern, it could be, I think, maybe said that it's been overtaken by events. So I believe it's quite

important to keep the, despite the fact that there is very little work ongoing, I think it's important to keep the discussion ongoing, to keep the item on our agenda and hope—

STEVE DELBIANCO: A permanent small team on accuracy would be able to observe late breaking transpositions and bring them into the conversation, right?

LAWRENCE OLAWALE ROBERTS: Correct. That's the hope and the thinking.

STEVE DELBIANCO: Margie, and turning to you on this one, because I know you and Mason are watching the transpositions pretty closely. Do you have any other advice for our councilors on what to do on this?

MARGIE MILAM: Thank you, Steve. This is Margie. No, I think that's exactly right. By participating in the small group and continuing to cite NIS2 developments will be helpful because even though October is coming soon, some countries may be delaying the actual implementation compliance dates. And I believe that it's even possible that some countries might miss that deadline. So things are evolving and to the extent that the group can hang on for, say, another six months, I think we'll see a lot more clarity as to what the requirements are as it relates to accuracy and specifically what kinds of verification are required.

STEVE DELBIANCO: Excellent. Thank you. Marie.

MARIE PATTULLO: Thank you, I completely agree, obviously, with everything everyone has said, I'd like to add in one more element. I know I'm repetitive, but I'm going to say it anyway. The definition of accuracy is contested. According to the work we have seen to date from our colleagues in the contracted parties house, accuracy equates to an email address that's in the right format. They call that syntactical accuracy. And a telephone number that connects to a telephone. They call that operational accuracy. Neither of those necessarily contain what I would call, as a native English speaker, accurate information because it doesn't necessarily have to be correct for contacting the registrant. I hope, believe, hope that the law in the member states of the European Union that will come in under NIS2 will specify that you are trying to have accurate and correct data to be able to contact the registrant. So I think when we've got some proof behind us that just claiming it's in the right format is okay, we've done our job, guys, it's not enough. It does actually have to be a method to contact the person who has registered the domain name. Thanks.

STEVE CROCKER: Marie raises a very good point. We have found it helpful to use those designations of syntactic accuracy and operational accuracy in a kind of neutral way and to add, of course, the one above all of that, which sometimes is called identity, which does meet the criterion that Marie is

talking about. To separate the labeling of the data as to what level of accuracy has been provided, or has been validated, versus what the policy is of what level should be provided.

So on the one hand, one wants to be able to say this data was validated up to this level, this other data was validated only up to this level, and so forth. And then in the policy, to specify what level is required and to do that on a very granular basis of every data element. So the two data elements that Maria just spoke to were the email address and the phone number. But there's a roughly on the order of 100 different data elements that are collected during the course of registration. And each and every one of those. To be specified as to what level of accuracy has been achieved. Now, some of the data elements are pro forma. They're absolutely accurate because they're part of the registration process, but all of the many of the others, all of them, basically all of the others, like whether the name or the organization and street address and so forth, also need to be subjected to some level of labeling. Let me restate that. Should be labeled as to what level of validation was applied. Now, if they've just taken as given, then that's a level below syntactic. And rather than ruling that out of bounds, just accept that and label it as no validation was done. Thank you.

STEVE DELBIANCO:

And Steve, in our discussions at the RDRS, we've battled over whether accuracy alone is useful in contacting a registrant. And we're getting the pushback there to say that syntactic accuracy is sufficient and that there need be no extra test of whether the information is adequate for contact. Should we bring that into this discussion, too?

STEVE CROCKER: Yes, I would say so. But now we get into sort of what's the best approach for bringing these things together. The approach that I'm suggesting is a sort of very careful [inaudible] saying that being specific about what level of being achieved could be absolutely enforced. And then the more delicate discussion or the more contentious discussion in a way is, well, the registrar might say, we only are asking for syntactic accuracy, and we'll agree to label that that's what we've done. And then we get into argue about whether that's sufficient or not.

STEVE DELBIANCO: So you're trying to be diplomatic about it. I would say the approach there.

STEVE CROCKER: Well, partially, but also to lay the foundation for a longer campaign, because I'm going to guess what's going to happen is that there won't be a consensus. And in the absence of that consensus, the registrars are going to basically prevail. And they'll say, this is what we've agreed to. This is what we're going to do. And then I think from our position, we'd say, okay, so be it. But let's now put in an evaluation of that over a period of time in which we get to revisit the question of whether that accuracy is sufficient. So I would say by laying the foundation of having careful labeling what accuracy has actually been achieved, we then are able to lay the foundation, as I say, going forward for the much harder discussion about whether that's sufficient. And for that, you're going to want some other mechanisms, some audit and some feedback and

reports about all of that. And that's going to require processes beyond what we've currently envisioned, because just arguing about whether it is or isn't sufficient without the basis of some harder data or model about what the costs are versus what the risks are, and so forth, isn't going to get anywhere.

STEVE DELBIANCO:

And it doesn't seem as if we will be able to adopt this approach while voting on the next council meeting. But rather, these would be things that the small team would pursue in the months ahead. And if we do that, we just want to be sure the small team gets created as a result of the resolution that will be taken up on the 9th.

STEVE CROCKER:

Let me ask a question. Is this small team different from the standing committee for the RDRS? I assume it is. In which case, is that small team already created, or is it something that we're anticipating?

LAWRENCE OLAWALE ROBERTS: The creation of the small team is still a proposal. And if the rest of the council agree with it, then it will be instituted. But at this point, it's an idea, and the council is asking for other ideas. I see value in the BC putting their weight behind this, and pushing this also as a position in council alongside the IPC, that a small team be constituted. And then all this can then be brought, we can then make a submission to the small team on our views and what we think should be the direction they go.

STEVE DELBIANCO: Could you check with the IPC to see that they're aligned on that? And that small team, Steve Crocker, would be similar to the one you and I serve on for RDRS, in that we could be outnumbered by registrars, contract party, and NCSG, but at least you get a calendar item that every two weeks staff is supporting a call for the small team, where we get to fire in updates from NIS2 with respect to the accuracy requirements. Or we get to keep bringing back this notion of syntactical accuracy.

STEVE CROCKER: And I think in support of this, I would say two things. This should be clear, I'm essentially volunteering if that's possible. And the second is that in support of that, I will change the picture that's being presented when I'm not showing my own face in a slightly different thing, waist deep in the water with my sleeves rolled up, as opposed to sitting in a business suit. That's how we all think of you.

STEVE DELBIANCO: Thanks, Steve. Lawrence, anything else to add about council?

LAWRENCE OLAWALE ROBERTS: Yes, I was just going to answer your question, Steve, that the idea of the small team was brought up by the IPC. So I know that they're definitely interested in that. And if we tag along with them, that will give it some additional push. But hopefully that will be the discussion to have at the next council meeting. And one of the outcomes that we will be pushing and aiming towards. That will be all for me now. Thank you.

STEVE DELBIANCO: Thank you. Now we typically turn to a handful of other council activities. So while we have you on the line, Rachel, Zak, and Steve Crocker, you're part of the Privacy Proxy Services Implementation Review Team. And to date, we've not made space on the agenda to talk about the status of that and see whether you're seeking any input from the BC. Would you like me to start adding the PPSA IRT to the biweekly agendas?

STEVE CROCKER: Sure. Although, as you've already seen, I've raised basically the issues that are relevant, you know, related to the privacy proxy anyway. But sure, an organized way to do that. And then as long as you do that, the fact that these meetings overlap is a continuing awkwardness. I don't see any way to deal with that except to take notice of it. And I guess I have about four or five more minutes on this call before switching over to the PPSA IRT.

STEVE DELBIANCO: Exactly. Margie Milam, your hand's up.

MARGIE MILAM: Yes. And I represent the BC on that group. I was going to say exactly the same thing Steve said, which is it overlaps with this call. So we all have to drop off in a couple of minutes. But it would be nice if you could put it earlier up in the agenda so that we can get to it before we drop off. And then we can provide updates and seek input as appropriate.

STEVE DELBIANCO: I'll do it. Thank you. Nenad, I would turn to you to see if you have an update on the continuous improvement program coordination.

NENAD ORLIC: Unfortunately, I was on the road and I could not attend the meeting that was happening yesterday. And I have nothing new to report for now. I still need to send you the report that I promised to do.

STEVE DELBIANCO: Please. And please do by email. Keep all of your colleagues up to date. Thank you. I don't have an update on the small team that Steve Crocker and I are on for RDRS. We do a call every two weeks and hardly make any progress whatsoever. The subsequent rounds. Ching, do you have anything to report or Imran? Seeing nothing, I'll pop it over to Marie. You're the CSG liaison. The meeting is yours.

MARIE PATTULLO: Thank you very much. What I have to tell you, you already know, but we have a meeting in Istanbul. It starts on Saturday the 9th. Please arrive if you can on Saturday the 9th because we have a social event planned. We have been invited by Turkish industry to an event with the entire CSG commercial stakeholder group. It will happen in the venue in the Istanbul Congress Center. So everybody will be able to get there. So please do try to arrive on Saturday if you can. We deliberately asked ICANN to organize this before we have our own meetings. Because you heard what Lauren said. We're always on the lookout for new members.

If you see someone, get talking to them. Think they'd be interested. Bring them along to our meetings later in the week.

Apart from that, we have the draft schedule that Steve has sent around. Please remember drafts can change. But for the time being, on the 10th, that's a Sunday. We've got a meeting with the entire CSG. We've also possibly got one with the contracted party house. So that's the registrars and registries. On the Monday, there's a meeting between the board and the CSG. On the Tuesday, we've got the BC's meeting. Now this is this meeting we're having now, but in public format. So more people and more polite. On the Tuesday, we also have the non-contracted party house. Which is, as you know, that silly title that brings together the business, the ISPs, the intellectual property and the non-commercial. So all of us coming together on the Tuesday.

Apart from that, there's a thing called day zero, which is the Friday before the meeting. That is something that will bring together just a few people from the non-contracted party house. So from our side, that will be Mason and Lawrence and Vivek and me. And again, there'll be the IPC, the ISPs and people from the non-commercial side. Still working on the agendas. We will, of course, share them all with you. And I think that's pretty much all I've got to say. But what I will say, and I know this sounds dark as we say it every time. Please remember to register for the meeting, even if you can't attend physically, which is a real shame. If you don't register for the meeting, you don't get the links to attend the sessions online. Thank you. That's all from me.

STEVE DELBIANCO: Great point, Marie. And for purposes of getting Turkish visas, it's a good idea to register, too. That's what triggers that process. Any questions for Marie on CSG? Seeing none, I can turn it back over to you, Mason. Thank you.

MASON COLE: Thank you, Steve. Outstanding review. That was a lot. Any follow-ups for Steve DelBianco, please? Okay. Let us proceed on the agenda to item number four, which is finance and operations update. Tim, over to you, please.

TIM SMITH: Thanks, Mason. Hi. It's Tim here. I guess what I want to do is you would have seen a note from me earlier in the week at the BC private address for a posting in the member area of ICANNBC.org of a FY25 draft with comparison to an FY24 draft budget, FY24 actual budget. So I've posted that with an additional spreadsheet, and there's also an explanatory narrative. So I urge you all to take a look at that. It compares a budget that the BC ExComm has been working on and one that the Ad Hoc Finance Committee has been working on. They're pretty similar, but there are a few areas of difference. The ExComm's draft has expenses of about \$46,000, whereas the Finance Committee's has an expense of \$43,000. But they're pretty close, and I need your input. So I do have one comment that I've already received, and I welcome additional comments to the drafts, and hope to have that. If I could have all your comments by close of business tomorrow, that would be excellent. And then I can bring the BC ExComm and the Finance Committee together,

the new Finance Committee together, in order to review the comments and make further recommendations. So welcome your comments, and like those as quickly as I possibly can. And of course, what we're trying to do here, and we're late, in finalizing the FY25 budget. So we need to get on that right away.

I did make a comment in the narrative that I provided, that our revenues for this year from membership fees are going to be about \$30,000, just under \$30,000. So we're looking at an expense budget of \$46,000, or \$42,000, or \$43,000. And we're looking at revenues that do not cover that. So it means that we continue to chip away on our reserve fund that we have in place. And that reserve fund is getting smaller. By the end of fiscal FY25, it'll be down around \$81,000, \$82,000. Still sounds kind of healthy. But we have a commitment to maintain sort of a two-year rolling expense nest, if you will, nest egg, in case any contingencies come up, and to make sure that we're covered off. So we're right on that line. And so to a point that Marie has made, and to a point that Lawrence has made, and that Mason has echoed, we all will be looking for new ways of generating revenue, and looking for new members, of course. So I welcome any comments that relate to that as well. And certainly we'll be thinking about that throughout the coming year. So I just want to cover that off.

We've just gone through our finance committee appointment, or volunteers coming forward. So thank you for everybody who has done that. Of course, the next election round is for officers. And that will be taking place starting September 20th. And we'll be circulating this whole timeline for you. But September 20th is the opening of the two-week nomination period for the officers. And the officers being the chair of

the business constituency, the vice chair of policy, the vice chair of finance and operations, and the CSG representative. So we'll be taking nominations for those with elections to take place in October. So that's to inform you of that.

Marie has already covered off the fact that we have been invited to a social and networking event on November 9th for the CSG. In addition to that, we're going to try to organize a BC-specific outreach. And thanks to Nenad and David Snead for trying to help us with some sponsors. You know, we are in a tight spot from a financial position. And therefore, it'd be very helpful to us in order to have sponsors to offset the cost of an outreach. So that's being worked on, fingers crossed. And thanks to Nenad and David for their assistance in that.

And then I guess the other thing I'll just mention is that the CROP funding is available again for the coming year. And I filed our BC strategic outreach plan with ICANN. That was submitted on August 7th, accepted by ICANN on August 14th. So that is in place for FY25. And that's basically it for me, other than it's never too early to start asking for submissions for the next newsletter for ICANN 81. We don't need them immediately, but please, if you're thinking about something, if you've got a story to tell about the importance of the business constituency to the work that you do, it would be really helpful and create great stories to be shared in Istanbul. And that is it for me. Sorry, I couldn't take it to the top of the clock, Mason, but I tried.

MASON COLE: That's okay, Tim. Thank you very much. Jimson, your hand is up. Go ahead, please.

JIMSON OLUFUYE: Yes. Thank you very much, Mason. I just wanted to be on record thanking Tim for the great work he's done so far. It's really wonderful. I want to say thank you very much, Tim. Since I raised the issue of audit committee and we started with the finance committee, you have done everything possible to be in compliance, and that is great. Thank you very much. I personally really appreciate the number of hours and work you put into this. It's a lot of work, but I can see that you're up to the task.

MASON COLE: Okay. Any other follow-ups for Tim, please? Okay. All right. Item five. Any other business for the BC? Anything anyone would like to raise? I'm looking for hands. I see no hands. All right. Very good. Brenda, our next call is 5 September at the normal time, as you've indicated on the screen, correct?

BRENDA BREWER: Correct, Mason. Thank you.

MASON COLE: Very good. All right. Then I don't think there's anything else to cover today. We can break a bit early. So thanks, everyone. Thanks for sticking around early for the call, for the candidates' call, and for staying online

to talk about our policy agenda and finance and operations. So productive call. Thanks, everybody, for everything. We will see you in two weeks' time. BC is adjourned.

[END OF TRANSCRIPTION]