

**Subject:** Policy Calendar for 13-Mar BC Meeting

**Date:** Sunday, March 12, 2023 at 11:07:57 AM Eastern Standard Time

**From:** Steve DelBianco

**To:** BC List

Here's the Policy Calendar for the BC OPEN MEETING on 13-Mar (also in attachment "policy calendar.pdf")

### **Channel 1. BC participation in ICANN Public Comment process:**

On 28-Feb we [commented](#) on [Proposed Procedure](#) for Selecting a Top-Level Domain String for *Private Use*. (See [comments page](#) and [SAC 113](#), published Sep-2020.). This is about locally-defined domain names that enterprises use to support their applications and infrastructure, where that domain TLD is *not* present in the root zone. "Two examples of private-use TLDs that are well known within the ICANN community are .corp and .home." Thanks to Rajiv Prasad for drafting.

On 13-Feb we [commented](#) on the FY24-28 Operating & Financial Plan, FY24 Op plan & budget. ([comments page](#)). Thanks to Tim Smith for drafting.

### **Selected [ICANN Public Comments](#) and other opportunities for the BC to comment:**

1. [proposed ICANN bylaws amendments](#) for the IANA Naming Function Review ([comments page](#)). Comments close 18-Apr.

This review was added to ICANN bylaws as part of the IANA transition, to let customers of IANA naming function confirm performance of the IANA Naming Function Contract between ICANN and its affiliate, Public Technical Identifiers.

In 2021 the BC [supported](#) a minor amendment to the IANA contract.

In 2020 we [commented on the first IANA Naming Function Review](#), thanks to Jimson Olufuye.

[Looking for volunteer\(s\) to draft a BC comment on these bylaw amendments.](#)

2. NIS2, followed closely by Andrew Bennett, Nik Lagergren, and Marie Pattullo.

[NIS2 final text](#) was approved by European Parliament on 10-Nov, and by Council on 28-Nov.

That final text [published on 27-Dec](#) (p.82), which begins the 21-month period for Member States to transpose into national laws and regulations.

[See Caroline's 12-Mar email regarding NIS2 discussions in Cancun on Saturday.](#)

### **Channel 2. Support for discussion and votes of our representatives on GNSO Council**

Marie Pattullo and Mark Datysgeld are our GNSO Councilors.

Previous Council meeting was 16-Feb. See [Agenda](#), [Transcript](#), [Zoom Recording](#).

Meeting highlights include:

Unanimously approved [amended charter](#) for Transfer Policy Review PDP and [Project Change Request](#)

Unanimously approved [revised Charter](#) for the Budget and Operations Townhall (formerly known as the SCBO).

[Next Council meeting is 15-Mar at 18:15 UTC while in Cancun.](#) [Agenda](#) highlights include:

Item 4: Vote on adopting Council committee to oversee [continuous improvement recommendations](#)

Item 5: Discuss next steps for Expired Domain Deletion Policy and Recovery Policy, [small team recommendation](#).

Item 6: Discuss GNSO projects that may impact SubPro timeline

Item 7: Continue discussing SubPro

Item 8: Discuss next steps for Whois Disclosure System

Steve is on [Council small team](#) on [SSAD ODA](#), to review a “ticketing system” without obligations for use or for disclosure.

On 13-Sep ICANN staff released a [design paper](#). Highlights:

ICANN org says development over nine months; development and two-year maintenance would be \$100,000

- It does not include accreditation of the requestors.
- It does not include a billing function or any fees to the requestor.
- There is no obligation of automated processing of requests by contracted parties.

We pushed for logging and reporting of request data, even when the registrar is not currently participating.

The [design paper](#) and [addendum](#) indicate access to data, even for non-participating registrars:

"The system will provide reporting on a periodic basis not to exceed the recommended durations. The exact form of the reporting is to be determined. It is envisioned that eventually the data will be made available through the Open Data platform for public consumption." (p.31)

Marika (Staff) added this to the [addendum](#) at p.4:

“To facilitate the evaluation of the WHOIS Disclosure System, the small team will continue to work with ICANN Org to ensure that the necessary data is available to ensure the proper evaluation of the Whois Disclosure System, taking into account legal limitations that may exist to share certain information.”

See [Council’s 17-Nov letter to the Board](#).

On 27-Feb-2023 the Board [directed](#) ICANN org to develop the Whois Disclosure System within 11 months.

On 11-Mar-2023 the small team held a session in Cancun to hear about progress from Org’s development team.

The system is now named **Registration Data Request Service**

Steve asked for the **data model**, up-front. To include images of screenshots submitted with requests.

Granularity of reporting can be adjusted later.

Suggested batch request feature from vendors like AppDetex and Fairwinds

Steve said: Usage has 2 dimensions:

Quantity of requests and responses

Quality of requests (origin, reason, detail, registrar, domain name, etc.)

Staff said they can evolve the data model over time (huh?). Asked us to say what we want reported.

Other Council activities:

1. **Closed Generic gTLDs** in the next round.

following an invitation from the Board, GNSO and GAC will “formulate a workable framework to identify and handle closed generic applications for the immediate next round of new gTLDs”, and in this dialogue we will be joined by ALAC. The framework discussion will focus on options other than the two endpoint positions (i.e. no closed generics at all; closed generics without restrictions) as per the Board’s Proposed Parameters for Dialogue.

As discussed on our 14-Nov call, Steve researched prior BC positions on closed generic going back a decade to our comments during the 2012 round of gTLD expansion. See attached email from Steve with the full explanation. To summarize In a sentence, we’d say:

**The BC would be concerned about consumer deception and competitor exclusion if a single competitor in an industry manages a closed TLD where the TLD string is closely identified with the industry.** For example, say a travel company or a hotel chain runs **.HOTELS** as a closed TLD -- not allowing competitors to register second level names, while also controlling content on domains such as search.hotels, eco.hotels, family.hotels, best.hotels, cheap.hotels, luxury.hotels, etc. It’s easy to see how the TLD owner could bias content and search results on those consumer information sites, without consumers being fully aware.

2. **Transfer Policy Working Group.** (Zak Muscovitch and Arinola Akinyemi).

Work group evaluated [public comment report](#) on its [initial report](#).

Now discussing [Charter Questions](#) related to the Transfer Dispute Resolution Policy (TDRP)

3. **GNSO Guidance Process (GGP).** (Lawrence Olawale-Roberts). Work on Applicant Support kicks off on **Monday, 21 November at 1500 UTC** with an initial call of the working group. The [main wiki page](#) that provides the status and background of the task and the page that lists the [Members and Alternates](#) are linked within. Observers will have ability to view member chat and information shared in the zoom webinar room, but observers will not be able to use chat or raise hands during sessions. BC member Segunfunmi Olajide has signed up as an observer.

4. DNS Abuse small team. Mark Datysgeld serves as co-lead.

CPH representatives met with ICANN Org for negotiations on RAA and RyA amendments to address DNS Abuse. ([Sally's letter](#)). To inform that negotiation, Mason drafted and sent [this letter](#) from BC, IPC, and ALAC on 23-Jan

### **Channel 3. Supporting discussion/voting on matters before the Commercial Stakeholders Group (CSG)**

Tim Smith is the CSG Liaison for the BC.

See [final schedule for ICANN 76 in Cancun](#), 11-Mar thru 16-Mar

**Board Seat 14.** CSG ExComm has now offered 2 candidates to NCSG and are awaiting their consideration. Determining the candidate who will be put forward on behalf of the NCPH will likely take us through ICANN 76 and we are hopeful we can find a common candidate from the two SGs.

CSG is also seeking more ongoing dialogue with NCSG and our ExComm has proposed more regular meetings, even intersessional between ICANN meetings, to discuss our common interests.

**ICANN Board and CSG will meet – Tuesday, March 14, 21:30 UTC (4:30pm)**

Additional upcoming meetings

**CPH DNS Abuse Outreach – Monday, March 13, 18:15 UTC (1:15pm)**

**CSG Membership Meeting – Tuesday, March 14, 15:30 UTC (10:30am)**