



20 October 2017

RE: Rejection of Public Comments on .net Registry Agreement Renewal

John Poole  
Via Email

Dear John Poole,

Thank you for your submission regarding the ICANN organization's rejection of your public comments on the .net Registry Agreement renewal. This communication is a follow-up to my initial response sent to you on 5 September 2017 where I acknowledged that your public comments were published within hours after you submitted your complaint. I also explained that my initial research and discussions with various departments inside the ICANN organization (all subsequent uses of "ICANN" refer to the ICANN organization) found the rejection was an inadvertent error by ICANN. While I am happy we were able to resolve your immediate issue quickly, I looked deeper into what occurred to better understand why and how it happened and to see if there are improvements we can make.

In late April 2017, you contacted a member of the ICANN organization with questions regarding process questions you had related to the proposed renewal of the .net Registry Agreement which, at the time, was [published for public comment](#). On 25 May 2017, your questions were responded to and that response was published on ICANN's correspondence page on icann.org (see: <https://www.icann.org/en/system/files/correspondence/namazi-to-poole-25may17-en.pdf>). In the 25 May letter, you were encouraged by ICANN to submit any inputs you might have regarding the .net renewal through the then open public comment forum. On 30 May 2017, you submitted your comments to ICANN, but received a message stating that your message had been rejected and that "non-members" were not allowed to post messages to the list. You promptly notified ICANN of the problem, and we were able to quickly remedy your specific problem and publish the comments.

In looking into your complaint, I learned that on 1 April 2017, as part of our ongoing efforts to harden our systems and security, ICANN updated the platform that supports public comment forums. The updated platform does not support the same functionality as the previous platform, with a major change being how the ICANN staff contact manages submitted comments. The older platform would ask comment submitters to confirm their intent to publish comments and, once confirmed, the comments were automatically published to the comment forum. This functionality prevented, among other things, spam from being published in the comment forum. The newer platform does not offer this functionality, therefore, ICANN needed an operational process step to prevent public comment forums from being infected with spam. With the updated platform, the ICANN staff contact is notified via email for every comment that is submitted. The email notification includes the submitted comment, any accompanying attachments, and a link to the internal tool ICANN uses to manage comment forums. The ICANN staff contact then quickly scans each submitted comment to verify it is not spam, then clicks a box for each non-spam item to be published in the comment forum on icann.org. As part of the rollout plan of the updated platform, ICANN's public comment process owner executed an

internal training and communications plan to prepare ICANN employees for the upcoming changes.

After receiving your complaint and researching what caused you to receive the rejection email, I found the following:

1. A bug was identified in the updated platform. The bug creates a rendering issue which causes text in some attachments to appear as gibberish to the ICANN staff contact when using certain viewers.
2. When comments are initially submitted, the submitter receives a confirmation message from the comment forum tool's auto-responder stating their submission was received and will appear in the comment forum after the staff contact approves the submission. If the ICANN staff contact does not approve the submission, the submitter will receive an auto-response letting them know it has been rejected. These automated system messages are unclear to a submitter.
3. Despite the execution of an internal communications and training plan, some ICANN staff members were not aware of the upgraded platform and process changes.
4. The platform upgrade was minor and did not require a separate external communications campaign, therefore ICANN did not formally communicate the changes outside the organization.

In working with the various ICANN departments to review the factors that led to this error, the organization commits to the following changes to expand our effectiveness in the four areas referenced above.

1. ICANN is aware of the bug and has scoped out the work and resources required to correct it. While the bug seems minor, the fix requires a medium level of effort to prepare the fix, test, and deploy it. ICANN will have the bug fix deployed by 15 November 2017. In the meantime, a workaround is in place that enables the ICANN staff contact to view all submitted public comments – even those affected by the rendering issue/bug.
2. ICANN is reviewing all auto-responder text messages in the comment forum tool. We are rewording all confusing or ambiguous messages – our goal is for comment submitters to have a clear understanding of all system messages. We will deploy the updated auto-responder text by 1 January 2018.
3. In addition to the communications and staff training that has already occurred, ICANN is revising its internal templates and guidelines to incorporate changes and process updates being implemented in response to your complaint. Once updated, we will schedule internal conference calls and webinars to train staff and answer any questions. We will make the updates by the ICANN60 Public Meeting in Abu Dhabi, United Arab Emirates, and the rollout to staff will occur after the meeting.
4. The platform upgrade did not require a formal external communications plan. However, as noted above, the upgrade was part of ICANN's initiative to harden information technology and digital services. In future communications, we will include any updates related to public comment forums, as they could affect the ICANN community.

In addition to the four changes discussed above, ICANN has identified other possible opportunities for improvement. First, ICANN will expand the quality assurance testing it performs before opening a public comment forum to include submitting comments from a variety

of email clients. While this additional testing would probably not have prevented the issue you experienced, it was identified as an opportunity for improvement. We have already implemented the update to quality assurance testing.

In addition to the fixes described above, ICANN is reviewing additional short-term modifications that could improve the community user experience such as: clearer, more prominent calls to action to improve participation in public comment; greater visibility into details of proceedings; and ways to improve interaction between commenters and the ICANN staff contact.

Finally, I would like to make you aware of a project that the [ICANN Board recently approved called the Information Transparency Initiative](#). As you know, ICANN has accountability and transparency commitments to provide up-to-date and easy-to-find information in all six official U.N. languages. The amount of public content we publish on icann.org grows by 25 to 30 percent each year, yet we don't have an integrated system in place to efficiently create, govern, store, and manage the content. The Information Transparency Initiative aims at doing exactly that – enforcing content governance with improved technology and process to effectively manage public content on icann.org. While this project has only just been approved by the ICANN Board and will kick off in January 2018, it will address areas like public comment with the goal of making improvements to existing features on icann.org. You can find more information about this project here: <https://www.icann.org/news/blog/creating-content-governance-and-rebuilding-the-infrastructure-of-icann-s-public-sites>.

As a result of your complaint, ICANN has identified opportunities for improvement and is working to implement them. ICANN is also reviewing additional short-term fixes related to public comment and will shortly be launching its larger scope project – the Information Transparency Initiative – to improve the overall management of published content. While I appreciate that we cannot change the past or the experience you had, ICANN is making short-term and long-term improvements to correct the issue you experienced and more. I appreciate you bringing this to our attention. Thank you again for your submission. I hope this response is useful and I appreciate the opportunity to assist you.

Kind regards,

Krista Papac  
Complaints Officer