

# Congress of the United States

Washington, D.C. 20515

June 5, 2014

The Honorable Gene Dodaro  
Comptroller General  
U.S. Government Accountability Office  
441 G Street, N.W.  
Washington, D.C. 20548

Dear Mr. Dodaro:

At its launch, the networks that formed the basis for what we now call the Internet were designed and managed by the U.S. Defense Advanced Research Projects Agency. Since the Internet was opened for commercial participation in 1992, the U.S. government has worked to reduce its involvement in governing the Internet, as appropriate. In 1998, the Internet Corporation for Assigned Names and Numbers (ICANN), a U.S. non-profit corporation, began managing the Internet Assigned Numbers Authority (IANA) under contract with the National Telecommunications and Information Administration (NTIA) – an agency of the Department of Commerce. Under the terms of that contract, NTIA retains a role overseeing and approving changes proposed by IANA to the Domain Names System root zone files.

In March 2014, NTIA announced its intention to transition its oversight of the IANA functions to the global multi-stakeholder community. NTIA characterized the move as a step to “support and enhance the multi-stakeholder model,” and asked ICANN to convene global stakeholders to develop a transition proposal. Proponents of the transition laud NTIA’s action as removing the U.S. government from an unnecessary ministerial role that generates angst among international partners. Others are skeptical of the description of NTIA’s role as ministerial and believe that U.S. government involvement in the root zone and IANA functions acts as an important backstop against foreign governments that would subvert the Internet.

In asking the multi-stakeholder community to generate a transition proposal, NTIA set forth criteria that any acceptable proposal must satisfy: 1) it must support and enhance the multi-stakeholder model; 2) it must maintain the security, stability, and resiliency of the Internet DNS; 3) it must meet the needs and expectations of the global customers and partners of the IANA services; and 4) it must maintain the openness of the Internet. Ensuring that these criteria are met is important to the future of the Internet, but is far from a complete examination of the consequences of NTIA’s proposed action. Accordingly, we request that the Government Accountability Office (GAO) examine the following aspects of NTIA’s proposed transition of the IANA transition:

1. What are the U.S. national security implications of relinquishing NTIA’s role in IANA?
2. NTIA has stated that it will not allow another government to step into the role the United States now plays. Is there a risk that despite NTIA assurances that another government

could assume this role? What mechanisms can the multi-stakeholder community propose that would eliminate the chances of such an outcome?

3. The current IANA contract, along with the Affirmation of Commitments between ICANN and NTIA, ensure certain obligations are met by ICANN in carrying out its functions. What affirmative commitments should the U.S. government require from ICANN before finalizing its transition of control of the IANA function? How can the U.S. government ensure that these commitments are enforceable?
4. What other risks should be considered by NTIA as it analyzes proposals to replace U.S. government involvement in IANA? What are the risks if the U.S. retains NTIA's role?
5. In announcing the proposed transition, the Department of Commerce set forth the four criteria referenced above. What (if any) additional criteria should NTIA insist be met as a pre-condition to relinquishing its role in IANA?

In addition, we request that GAO inform the Committee regarding any other issues of concern that it may uncover during its examination of these issues.

Thank you for your attention to this request. If you have any questions about this request, please have your staff contact David Redl at (202) 225-2927.

Sincerely,

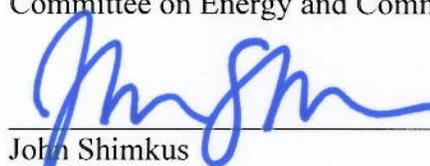


Fred Upton  
Chairman  
Committee on Energy and Commerce

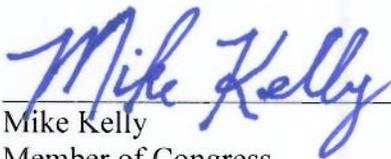
Greg Walden  
Chairman  
Subcommittee on Communications and  
Technology  
Committee on Energy and Commerce



Marsha Blackburn  
Vice Chairman  
Committee on Energy and Commerce



John Shimkus  
Member  
Committee on Energy and Commerce



Mike Kelly  
Member of Congress



Todd Rokita  
Member of Congress

Letter to the Honorable Dodaro

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cc: The Honorable Henry A. Waxman, Ranking Member  
House Committee on Energy and Commerce

The Honorable Anna Eshoo, Ranking Member  
Subcommittee on Communications and Technology

The Honorable Mignon Clyburn, Commissioner  
Federal Communications Commission

The Honorable Jessica Rosenworcel, Commissioner  
Federal Communications Commission

The Honorable Ajit Pai, Commissioner  
Federal Communications Commission

The Honorable Michael O'Rielly, Commissioner  
Federal Communications Commission