



UNITED STATES DEPARTMENT OF COMMERCE
National Telecommunications and
Information Administration
Washington, D.C. 20230

July 31, 2020

The Honorable Robert E. Latta
House of Representatives
Washington, DC 20515

Dear Representative Latta:

I am writing in response to your June 24, 2020 letter requesting information about the National Telecommunications and Information Administration's (NTIA) role in ongoing discussions about the future of generic top-level domain registration data ("gTLD registration data" is a type of "WHOIS data" that has been most impacted by recent changes in privacy law). NTIA continues to believe that WHOIS data can and should be made available to parties with legitimate interests in the data while respecting the law. Although NTIA does not have an investigatory or enforcement mission, the agency continues to work with our law enforcement and consumer protection counterparts on a variety of issues, including access to WHOIS data.

As your letter notes, the COVID-19 pandemic has made it more important than ever that online fraud is investigated and appropriately mitigated. WHOIS data can be a useful resource for a variety of investigatory purposes, including investigating COVID-19-related scams. NTIA has a long history of advocating for timely access to accurate WHOIS data and requires making WHOIS data public in the contract for management of the .us country code top-level domain (ccTLD).

Most recently, NTIA—as the U.S. representative to the Governmental Advisory Committee (GAC) at the Internet Corporation for Assigned Names and Numbers (ICANN)—has participated in ongoing multistakeholder discussions aimed at developing policies to reestablish regular, convenient access to gTLD registration data. In addition, NTIA convenes regular meetings of the Domain Name System (DNS) Interagency Working Group to discuss whether and how the decentralization and restriction of large amounts of WHOIS data is affecting the missions of our interagency partners.

You may also be interested in the 120-day pilot program that NTIA announced on June 8, 2020. The pilot program is intended to curb illegal online sales of unapproved opioids. Under the program, NTIA and the U.S. Food and Drug Administration (FDA) are working with three domain name registries, Neustar (.us), Verisign (.com, .net) and Public Interest Registry (.org), to suspend the domain names of websites found to be illegally selling unapproved opioids. For the duration of the pilot, FDA will serve as a "trusted notifier" to alert the registries about websites that are illegally selling unapproved opioids. Upon receiving notice from the FDA, a registry may then voluntarily lock the domain, delete the domain, or place the domain on hold, as appropriate. The "trusted notifier" designation expedites the process for suspending domain name registrations. At the end of the pilot program, NTIA, FDA, and the domain name registries

will analyze the program's effectiveness and its potential as a long-term solution to combatting the illegal sale of unapproved opioids online.

Thank you for your interest in this important topic. Should you have further questions, please feel free to have your staff contact James Wasilewski, NTIA Director of Congressional Affairs, at (202) 482-1830.

Sincerely,

Douglas Kinkoph

Douglas Kinkoph,
Performing the Delegated Duties of the
Assistant Secretary for Commerce for
Communications and Information