

Congress of the United States

Washington, DC 20515

September 21, 2022

The Honorable Alan Davidson
Assistant Secretary and Administrator
National Telecommunications and Information Administration (NTIA)
U.S. Department of Commerce
1401 Constitution Avenue, NW
Washington, D.C. 20230

Administrator Davidson:

We are writing to request that NTIA immediately cease the public disclosure of personal information about users of .US, the United States' country-code top-level domain, and quickly direct the adoption of strong privacy protections for .US users.

As you know, domain registration information contains highly sensitive personal information. These records include names, email addresses, physical addresses, and phone numbers. Domain name users can be anyone, including journalists, activists, and public interest, political, and religious organizations.

It is highly concerning that NTIA, since at least 2005, has not directed its contractors administering .US to adopt any protections for this sensitive information. The automatic public disclosure of users' personal information puts them at enhanced risk for becoming victims of identity theft, spamming, spoofing, doxxing, online harassment, and even physical harm. .US should be a model of the United States' values with regard to online privacy and expression. In addition to putting users at risk of abuse of their information, the current lack of privacy protections chills vibrant expression and important speech online. Anonymity is a necessary component of the American right to free speech.

Appropriate measures to correct for NTIA's decades of inaction to protect privacy in .US include offering privacy to users free of charge and automatically upon registration. In addition, any transfers to third parties, including public disclosure, should require a user's affirmative, informed consent. Further, NTIA should require governments, including our own, to seek a warrant or other appropriate legal process when requesting access to .US user data. And users should receive notice whenever possible that governments—especially adversaries like Russia and China—have sought access to their information.

In addition to protecting users' privacy rights, directing these changes would also make .US a much more attractive space for domain registrations. For decades generic top-level domains have allowed customers to use privacy or proxy services to anonymize domain registrations. Indeed, many of the United States largest trading partners' national domains offer privacy

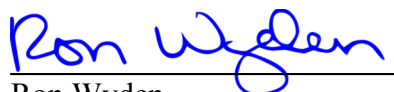
services and allow proxy registrations. Not only does publishing all .US user data risk harming users, it is simply bad for business.

Further, there is little evidence that the continued public disclosure of this information makes the global internet any less safe or secure. In fact, despite the domain industry increasing privacy protections for users over the last several years, the Internet Corporation for Assigned Names and Numbers (ICANN) has recently observed that the number of domains responsible for phishing, malware, spam, and botnets has declined. What is more, some of the largest domain registrars—handling tens of millions of domain registrations—receive on average fewer than 200 requests annually for previously-public registrant data from global law enforcement each year. This figure implies that public safety would not be significantly impacted by protecting the privacy of .US users.


Finally, we understand that NTIA is currently representing the United States in negotiations at ICANN over how to protect privacy in the new generic top-level domain market. A privacy-protective .US should support NTIA in these negotiations by providing a model for best practices in the broader domain name ecosystem. We urge you to continue the fight for privacy, expression, and human rights at ICANN, and hope that the United States, through .US, leads by example for the global multistakeholder community.

Thank you for your attention to this issue. Our offices are available to discuss further at your convenience.

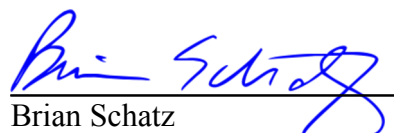
Sincerely,




Ron Wyden
United States Senator



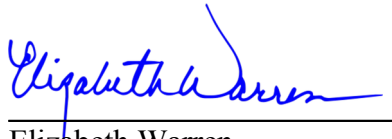
Anna G. Eshoo
Member of Congress



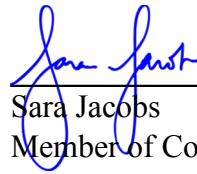
Brian Schatz
United States Senator



Ted Lieu
Member of Congress



Elizabeth Warren
United States Senator



Sara Jacobs
Member of Congress



Zoe Lofgren
Member of Congress



Ro Khanna
Member of Congress



Tom Malinowski
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Stephen F. Lynch
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