



# AMERICANS FOR LIMITED GOVERNMENT

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U.S. Senate Committee on Commerce, Science and Transportation  
Washington, D.C. 20510

June 24, 2015

To the members of the U.S. Senate Commerce Committee:

We write to urge you to support Sen. Ted Cruz' amendment <sup>1</sup> to the Dotcom Act,<sup>2</sup> which will require an up or down vote of Congress in order to complete any transition by the National Telecommunications and Information Administration (NTIA) of the Internet Assigned Numbers Authority (IANA) functions to the Internet Corporation of Assigned Names and Numbers (ICANN) and global multistakeholders.

DNS resolution is a critical function of the Internet, linking domain names with corresponding IP addresses, without which the Internet would not function. It is an authoritative function, meaning no other entity in the world does what ICANN does in administering the IANA functions. It is a global monopoly already, albeit one that operates currently under U.S. government contract.

Absent U.S. government stewardship of the IANA functions via U.S. government contract, there will no longer be any First Amendment protections afforded to the domain name system, which in the very least creates a cause of action in federal courts should the IANA functions ever be used to engage in censorship. U.S. Senators should be very wary of surrendering these constitutional firewalls that keep the Internet free and open. That is why the Senate must insist that Congressional approval be required in order for any transition of those functions to take place. It is the only way to safeguard the free and open Internet from foreign capture or potential censorship.

Consider, without the Cruz amendment, the Dotcom Act unwittingly authorizes the surrender of these critical Internet functions from U.S. government contract to foreign powers before anyone including the Senate has even seen the final proposal for how the transition will work — and all the American people will get in return is a meaningless certification from NTIA that all will be well with the Internet transfer.

The U.S. government has ensured a free and open Internet since the late 1990s, and to so cavalierly give it away without a backup plan is reckless, and will be a decision we very soon come to regret.

A vote against the Cruz amendment is a vote in favor of surrendering the Internet to foreign capture and any resulting censorship that takes place. ICANN CEO Fadi Chehade concedes the transfer will not even be ready until at least June 30, 2016,<sup>3</sup> meaning the Internet transition is not even ready for prime time. Therefore, Congress must reserve the right to reject the transfer should it prove to be a bad deal for America.

Sincerely,

Rick Manning  
President  
Americans for Limited Government

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<sup>1</sup> <http://getliberty.org/wp-content/uploads/2015/06/Cruz-DOTCOM-Act-Amendment.pdf>

<sup>2</sup> <http://docs.house.gov/meetings/IF/IF00/20150616/103649/BILLS-114805ih.pdf>

<sup>3</sup> [http://www.theregister.co.uk/2015/06/22/us\\_government\\_iana\\_icann/](http://www.theregister.co.uk/2015/06/22/us_government_iana_icann/)