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July 20, 2001

The Honorable Donald Evans
Secretary of Commerce
U.S. Department of Commerce
1401 Constitution Ave., N.W.
Washington, D.C. 20230

Dear Mr. Secretary:

I write with respect to the role of the Department of Commerce in the management of Internet domain names and in the development of policy for Internet domains. The National Telecommunications and Information Administration (NTIA) recently initiated a proceeding over how it should exercise its authority over the ".us" domain. I believe that the utilization and management of this domain is extremely important to Internet users throughout the United States.

As you may know, ".us" is the unique "country code" top level domain (ccTLD) for the United States. It is critical, because of the nationally-designated nature of this domain, that NTIA ensure that administration and use of America's ccTLD benefits all Americans. For this reason, I am highly concerned about NTIA's proposed course of action on the future disposition of the ".us" domain.

NTIA has announced its intent to contract out management of the ".us" domain, apparently to any contractor willing to run the ccTLD registry service at no cost to the government. I strongly suggest that the Department of Commerce reconsider this proposal for several reasons.

The ".us" ccTLD is primarily used today by state and municipal entities, libraries, K-12 schools and certain community colleges. Any proposals to expand utilization of this unique, national cyberspace resource, must accrue to the general benefit of the American public. The ".us" ccTLD is a public asset. In my view, the highest and best use of this asset would be to set aside this domain for cyberspace locations that can enhance Internet access and training, foster civic discourse, and promote public access important community information. I strongly endorse management of the ".us" domain in the public interest, serving all Americans in a non-commercial context.

Moreover, even if the Department of Commerce were to decide against management of the ".us" ccTLD in a non-commercial, public interest context, it is inexcusable to give away this public asset without due compensation to the American

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people. The unjust enrichment to a commercial entity that could result if the Administration continues on its present course may amount to hundreds of millions of dollars. Precisely because any new commercial administrator of the ".us" ccTLD can handle registry functions through use of a straightforward database, without extensive or expensive infrastructure deployment, the ".us" domain registry is likely to generate significant profits.

If the Bush Administration intends to give this valuable public resource away to private entities, taxpayers must be compensated. After all, U.S. taxpayers funded development of this resource in the first place. If private entities are to be permitted to commercialize the ".us" TLD and profit from its management, it would be far better to transfer management of this public asset to the Federal Communications Commission (FCC). The FCC could then sell ".us" at auction to the highest bidder, rather than permitting NTIA to give away this valuable resource without adequately recouping its value for American taxpayers.

Again, the ".us" ccTLD is a public resource and as America's designated "cyberaddress" should be managed in a manner that reflects American values and provides benefits to all Americans. I look forward to hearing your views on this matter and thank you in advance for your time and attention in looking into this issue.

Sincerely,

Ed Markey

Edward J. Markey
Ranking Democrat
House Subcommittee on
Telecommunications and the Internet

EJM/cc