

# United States Senate

WASHINGTON, DC 20510

December 22, 2011

Dr. Stephen D. Crocker  
Chairman, Board of Directors  
Internet Corporation for Assigned Names and Numbers  
1101 New York Avenue NW  
Suite 930  
Washington, DC 20005

Rod Beckstrom  
President  
Internet Corporation for Assigned Names and Numbers  
325 Lytton Avenue, Suite 300  
Palo Alto, California 94301

Dear Dr. Crocker and Mr. Beckstrom,

On December 8, 2011, the Senate Commerce, Science and Transportation Committee held a hearing on the Internet Corporation for Assigned Names and Numbers (ICANN) plan to expand the available top level domain (TLD) names available on the Internet. At the hearing, we heard from a cross-section of witnesses who expressed concerns about the new TLD name expansion. We are deeply concerned about the potential negative consequences this could have should ICANN's TLD expansion proceed at this time. We ask ICANN to work with all stakeholders to mitigate the significant challenges posed to consumers, businesses and law enforcement prior to implementation of the new TLD program.

Several witnesses from the hearing, in addition to thousands of stakeholders, have highlighted the potential financial burdens to entities forced to protect their Web presence through defensive registration. Companies, universities, and non-profit organizations have already expended significant resources over the last decade to defensively register their names in TLDs that they have no intention of using, simply because they don't want a scammer or fraudulent actor to use it. The significant expansion of TLDs contemplated by ICANN could seriously exacerbate this problem.


The Federal Trade Commission has also highlighted the potential for "significant consumer harm" as a result of TLD name expansion. Previous rounds of TLD name expansion have created new opportunities for bad actors to prey upon consumers. Additional TLD names could further expose consumers to fraudulent entities and scam artists who are looking for ways to exploit individuals online.

In addition, we understand that law enforcement agencies from around the world, including the Federal Bureau of Investigation, issued a number of recommendations for ICANN over two years ago and that ICANN has yet to take action on the majority of these recommendations. Serious issues remain with the accuracy and completeness of the personal and contact information that Website and domain name owners must provide to populate the database of

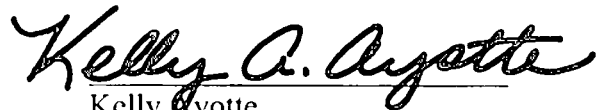
registrants, known as WHOIS information. This information is especially critical for law enforcement agencies trying to track down cyber criminals.

As former prosecutors who have worked to protect consumers by prosecuting bad actors, immediate action is needed to mitigate the potential for consumer harm and address the concerns raised by businesses, non-profit organizations, and U.S. and international law enforcement agencies. Because implementation of the new TLD name program raises serious challenges for law enforcement officials, we ask that you commit to meaningfully addressing public safety concerns before launching any new domain names. Thank you for your attention to this matter.

Sincerely,



Amy Klobuchar  
United States Senator



Kelly Ayotte  
United States Senator