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ONE HUNDRED TENTH CONGRESS

**U.S. House of Representatives**  
**Committee on Energy and Commerce**  
**Washington, DC 20515-6115**

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June 5, 2007

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The Honorable Carlos M. Gutierrez  
Secretary  
U.S. Department of Commerce  
1401 Constitution Avenue, N.W., Room 5516  
Washington, D.C. 20230

Dear Mr. Secretary:

Under Rules X and XI of the Rules of the United States House of Representatives, the Subcommittee on Oversight and Investigations of the Committee on Energy and Commerce is investigating various programs and Federal responsibilities of the Department of Commerce (DOC) and National Telecommunications and Information Administration (NTIA). This letter requires DOC and NTIA to produce records and answer questions concerning the areas of inquiry outlined herein.

First, the Committee seeks to review DOC's relationship and interaction with the Internet Corporation for Assigned Names and Numbers (ICANN), the nonprofit organization that coordinates the domain name system and Internet protocols and is responsible for ensuring that domain registry agreements are made in a fair and open process. In November 2006, DOC approved a new dot-com domain name registry agreement between ICANN and VeriSign, Inc. (VeriSign) that gives VeriSign a renewal expectancy and permits the company to raise prices for dot-com registrations by as much as 7 percent per year (ICANN/VeriSign Agreement). The approval raised concerns among policymakers, the Internet community, and the public. Some of these concerns pertain to the approval of the agreement despite considerable time remaining on the contract and apparent widespread criticism that the agreement might be anti-competitive, as well as the failure of DOC to abide by a Congressional staff request to allow sufficient time to review carefully the larger implications of the domain registration arrangement. The Committee seeks information concerning the quality and breadth of DOC's review and whether this dot-com arrangement and other domain negotiations and agreements are being reviewed fairly, openly, and transparently by DOC.

Accordingly, please provide to the Subcommittee, within two weeks from the date of this letter, all records, relating to:

- (1) The Joint Project Agreement between DOC and ICANN dated September 29, 2006;
- (2) The ICANN/VeriSign Agreement that was approved by NTIA on November 30, 2006;
- (3) The decision to allow VeriSign to raise prices for dot-com registrations up to 7 percent per year;
- (4) Department of Justice review of the ICANN/VeriSign Agreement;
- (5) Any amendments, language, or terms to the ICANN/VeriSign Agreement that were negotiated by DOC;
- (6) Amendments to DOC/VeriSign Cooperative Agreement; and
- (7) Any and all agreements between DOC and NeuStar relating to dot-US domain names.

With regard to items one through seven above, we specifically request all records relating to communication between DOC and representatives of the Administration, other Federal agencies, and businesses or lobbying organizations relating to the ICANN/VeriSign contract review.

Second, since DOC and NTIA management have not been particularly responsive to Congressional inquiries in the past, Committee staff request greater transparency relating to staff-level professionals. Accordingly, please provide the following information in writing within one week from the date of this letter:

- (1) An organizational chart of NTIA that is annotated with the names, titles, e-mail, and phone numbers of all NTIA officials, managers, and key decision makers;
- (2) A list of NTIA advisory committees, task forces, and working groups, including names and contact information for all members; and
- (3) A contact list of all NTIA staff currently working on (a) NTIA's Public Safety Interoperable Communications Grant Program, (b) digital television converter box coupon program, and (c) management of Internet names and addresses.

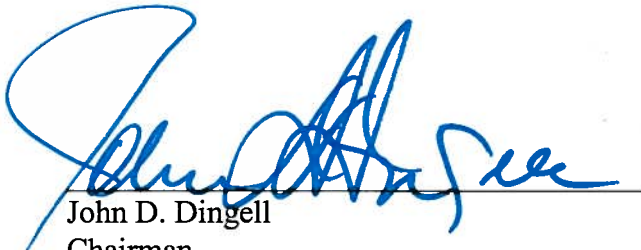
Lastly, please provide the following information within two weeks from the date of this letter:

- (1) Explain in detail (a) your policies and procedures regarding the review of ICANN-related contracts, and (b) your procedures, specifically, for reviewing the ICANN/VeriSign Agreement, including a narrative description detailing how NTIA reviewed the contract, including the people involved in the review decisions, to ensure it was in the public interest to approve; and
- (2) Records relating to any and all ethics guidance, advice, or waivers sought by and/or provided to NTIA officials and senior staff involved in the review of the ICANN/VeriSign Agreement.

In responding to this request for documents, please be advised that the terms “records” and “relating to” are defined in the attachment to this letter. Also, when complying with this request, Committee staff expects that you will search the relevant files within the appropriate offices and divisions of DOC and NTIA. In addition, all records submitted to the Committee must be produced. Any other redactions that DOC believes are necessary require the concurrence of the Majority and Minority Committee staff.

Thank you in advance for your cooperation in this important matter. If you have any questions, please contact us or have your staff contact Steven C. Rangel with the Majority Committee staff at (202) 226-2424.

Sincerely,



John D. Dingell  
Chairman



Bart Stupak  
Subcommittee on Oversight and Investigations  
Chairman

Attachment

## ATTACHMENT

1. The term "records" is to be construed in the broadest sense and shall mean any written or graphic material, however produced or reproduced, of any kind or description, consisting of the original and any non-identical copy (whether different from the original because of notes made on or attached to such copy or otherwise) and drafts and both sides thereof, whether printed or recorded electronically or magnetically or stored in any type of data bank, including, but not limited to, the following: correspondence, memoranda, records, summaries of personal conversations or interviews, minutes or records of meetings or conferences, opinions or reports of consultants, projections, statistical statements, drafts, contracts, agreements, purchase orders, invoices, confirmations, telegraphs, telexes, agendas, books, notes, pamphlets, periodicals, reports, studies, evaluations, opinions, logs, diaries, desk calendars, appointment books, tape recordings, video recordings, e-mails, voice mails, computer tapes, or other computer stored matter, magnetic tapes, microfilm, microfiche, punch cards, all other records kept by electronic, photographic, or mechanical means, charts, photographs, notebooks, drawings, plans, inter-office communications, intra-office and intra-departmental communications, transcripts, checks and canceled checks, bank statements, ledgers, books, records or statements of accounts, and papers and things similar to any of the foregoing, however denominated.
2. The terms "relating," or "relate" as to any given subject means anything that constitutes, contains, embodies, identifies, deals with, or is in any manner whatsoever pertinent to that subject, including but not limited to records concerning the preparation of other records.