

**UNITED STATES GOVERNMENT CONTRIBUTION TO THE
GOVERNMENTAL ADVISORY COMMITTEE (GAC) AND THE
GENERIC NAMES SUPPORTING ORGANIZATION (GNSO)
ON WHOIS**

The United States Government (USG) would like to officially express its views on the GNSO's WHOIS Task Force report dated March 15, 2006 and the April 12, 2006 vote on the definition of the purpose of WHOIS.

The USG views a public gTLD WHOIS as critical to ensure that international and domestic agencies, businesses and consumers have continued timely and unrestricted access to accurate and complete WHOIS information for the stability and security of the Internet and the international community.

A public gTLD WHOIS is essential to:

- assist each nation's law enforcement agencies, both civil and criminal, in resolving cases that involve the use of the Internet, including child pornography, violent crimes, missing persons, wire fraud, cyber crime, consumer fraud, identity theft, phishing, and other violations of consumer privacy and data security;
- combat intellectual property infringement and theft by being able to identify cybersquatters, trademark infringers and counterfeiters, copyright pirates and other individuals engaged in intellectual property rights violations;
- support Internet network operators that are responsible for the day-to-day operation, security and stability of the Internet;
- protect the rights of consumers by facilitating, for example, their identification of legitimate online businesses; and
- Assist businesses to investigate fraud, phishing, and other law violations that affect their business interests and the interests of their customers.

The USG also recognizes a need to protect the privacy interests of individuals and, like many other nations, protects the privacy of residents of the United States through enforcement of applicable national laws.

Based on the foregoing, the USG believes that Formulation 1 of the Purpose of WHOIS data identified in the *Final Task Force Report on the Purpose of Whois and of the Whois Contacts*, is problematic as it does not reflect the range of public policy interests of a fully functional WHOIS regime.

Specifically, the USG is concerned that Formulation 1, which advances a narrow, technical definition of the purpose of WHOIS, would prevent the range of legitimate uses of Whois databases and impede law enforcement's

ability to prosecute crimes, prevent consumer fraud, and protect consumer privacy by allowing perpetrators to hide behind the shield of anonymity.

The USG will continue to work through the GAC to achieve a consensus and understanding with the GNSO on this very critical issue.

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