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ONE HUNDRED THIRTEENTH CONGRESS  
**Congress of the United States**  
**House of Representatives**  
COMMITTEE ON ENERGY AND COMMERCE  
2125 RAYBURN HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515-6115  
Majority (202) 225-2927  
Minority (202) 225-3641

March 5, 2013

Ms. Sally Shipman Wentworth  
Senior Manager, Public Policy  
Internet Society  
1775 Wiehle Avenue, Suite 201  
Reston, VA 20190

Dear Ms. Shipman Wentworth:

Thank you for appearing at the joint hearing with the Subcommittee on Communications and Technology, Subcommittee on Terrorism, Nonproliferation, and Trade, and the Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations entitled "Fighting for Internet Freedom: Dubai and Beyond" on February 5, 2013.

Pursuant to the Rules of the Committee on Energy and Commerce, the hearing record remains open for 10 business days to permit Members to submit additional questions for the record, which are attached. The format of your responses to these questions should be as follows: (1) the name of the Member whose question you are addressing, (2) the complete text of the question you are addressing in bold, and (3) your answer to that question in plain text.

Also included are requests from Members that you agreed to provide for the record. The format of your responses to these requests should follow the same format as your responses to the attached additional questions for the record.

To facilitate the printing of the hearing record, please e-mail your responses, in Word or PDF format, to [Charlotte.Savercool@mail.house.gov](mailto:Charlotte.Savercool@mail.house.gov) by the close of business on Tuesday, March 19, 2013.

Thank you again for your time and effort preparing and delivering testimony before the Subcommittee.

Sincerely,



Greg Walden  
Chairman  
Subcommittee on Communications and Technology

cc: The Honorable Anna Eshoo, Ranking Member,  
Subcommittee on Communications and Technology

Attachments

## Attachment 1-Member Requests for the Record

*During the hearing, Members asked you to provide information for the record. For your convenience, relevant excerpts from the hearing transcript regarding these requests are provided below.*

### The Honorable Ted Poe

1. So my question to you is, should there be, first, on one end and I am just asking for your opinion any consequences for countries that seem to want government control of the Internet, or not? And, second, a little more specific: how we can be prepared to communicate better to these the vast majority of countries, as Ambassador Gross has mentioned, that still haven't made up their mind.

So three questions: ITU procedure; any consequences; and what can we specifically do?

#### 1. ITU Procedure

*The ITU processes and membership structure is set out via international treaty, the ITU Constitution and Convention, that is approved by governments. While there have been efforts within the ITU to allow for more multistakeholder input and participation, in the end, only Member States have the right to vote on major policy ITU decisions. This is, of course, a critical shortcoming. From a process standpoint, the Internet Society is concerned that major Internet-related policy and technology decisions could be made in the ITU's intergovernmental setting – this is contrary to the multistakeholder model. It is not simply that treaty negotiation process excludes nongovernmental stakeholders from decision-making, but that it dramatically limits the extent to which participants from industry and civil society can even be meaningfully heard.*

*During the WCIT meeting in Dubai, the ITU did take a number of steps to make the WCIT more transparent. The ITU should build on these steps to make its processes more open and more meaningfully inclusive to more stakeholders. It is also a responsibility of Member States from around the globe to make their national processes to prepare for ITU meetings and conferences more transparent and more inclusive. The United States has a long tradition of doing this and a number of governments allowed for greater input into their national preparations for WCIT. This is a trend that clearly should continue.*

#### 2. Are there any consequences should governments control the Internet

*The key to the success of the Internet is the bottom up, consensus-based processes that drive technology development, permission-less innovation, economic opportunity, and the free flow of information. This model has been a key contributor to the breathtaking evolution and expansion of the Internet worldwide. Clearly, the consequences to top-down, government-driven Internet policy development are profound. At a very fundamental level, this governance model would likely choke off the cycle of innovation that the Internet enables.*

*Importantly, the Internet's technology does not, inherently, recognize regional political boundaries, like nation-state borders. While it can be deployed in ways that keep a number of control points within a jurisdiction, this is not in accordance with basic best practices for deploying a robust, resilient Internet infrastructure that supports heavy usage on a regular basis, or withstands natural disasters. Based on this, proposals to institute government control over the Internet infrastructure would undermine the basic stability and resiliency of the global Internet.*

#### 3. Are there any consequences should governments direct the ITU to play a role in controlling the Internet

*A broad set of diverse organizations and stakeholders with differing roles and responsibilities make the Internet work and grow at a global level. This is often referred to as the “Internet ecosystem” and includes functions like IP addressing, domain name system, standards and protocols, connectivity provisioning, public policy development, etc. These technologies, resources, and services are all highly interdependent and require a significant amount of coordination. The organizations responsible for coordination, administration, and day-to-day management in the Internet sphere include ICANN, the IANA function, the RIRs, and many others. Each organization has a specific role and provides fundamental value to the overall functioning of the Internet. These organizations have a proven, long-standing relationship in coordinating the technical infrastructure of the Internet and have contributed to the incredible growth and stability of the Internet today. There are well-established mechanisms, including open, public meetings, mailing lists and bottom-up policy development processes that enable direct participation by any interested party. To find out more about the Internet Ecosystem, please see: <http://www.internetsociety.org/internet/who-makes-it-work>*

*In short, the Internet ecosystem is complex and diverse – no one organization or stakeholder “controls” the Internet. Rather, a series of open, collaborative, and community-based processes help ensure coordination, innovation, growth, stability, security and global interoperability. Attempting to transfer control of any or all of these multistakeholder processes to an intergovernmental context would be extremely problematic and would undermine the continued efficiency, stability and global interoperability of the Internet.*

4. How can the United States better communicate to countries who have not made up their mind regarding support for WCIT-13 treaty language

*We can only speak to our own experience and also express our willingness to work with the United States to achieve common objectives in support of the Open Internet. The Internet Society’s approach post WCIT is to work with countries to address the very real questions they have about the Internet technology, principles and processes. Countries have important questions about how different aspects of the Internet technology work (e.g., IP addressing, traffic routing, security protocols, standards). Many developing countries want to know how to make smart Internet technology investments and how to bring down connectivity costs. Governments are also looking for clearer ways to engage with Internet organizations like ISOC, IETF, ICANN, and the RIRs. We are hopeful that, in demonstrating the positive role that the multistakeholder model can play in addressing these concerns, we can gain clear backing at the global and regional level for public policies that support and sustain a global, open and interoperable Internet. More engagement, motivated by a desire to understand and address the concerns of countries, is, in our opinion, the best way forward for all of us (governments, industry, civil society, the technical community).*

The Honorable Anna Eshoo

1. For what lies ahead, what do you think the United States should do in working with developing nations to help turn them around? What are the ingredients?

*We can only speak to our own experience and also express our willingness to work with the United States to achieve common objectives in support of the Open Internet. The Internet community has an excellent record of working with individuals, institutions, universities, and countries to advance connectivity worldwide. In fact, this is very heart the Internet Society’s vision that the “Internet is for everyone” and underpins our mission and aim to foster a ubiquitous, reliable, and sustainable Internet infrastructure around the world. For over twenty years, the Internet Society and other Internet experts have been working to build human infrastructure (training, capacity development), technical infrastructure (the IP based infrastructure), and governance infrastructures. These are the ingredients for a successful and sustainable Internet strategy. For example, our Internet development activities worldwide focus on these key areas:*

- *Interconnection and Traffic Exchange (including the deployment of [Internet Exchange Points](#) and*

- network operator training);*
- *Country Code Top Level Domain Name (ccTLD) Development and Domain Name System Security (DNSSEC) Deployment;*
  - *Networking Skills Capacity Building;*
  - *IPv6 Deployment in Emerging Regions;*
  - *Advancing Internet Development Thought-Leadership and Engagement.*

*Our goal is that, at the local, national, and regional levels, countries integrate an open approach into their national Internet strategy so that all their citizens benefit from the global Internet. Each country is different: they may need policy development assistance, technical training, civil society engagement, or capacity building. The bottom line, however, is that communities need a sustainable approach to Internet development that propels them into the global information economy. It is critical that we listen to the needs and expectations of local communities – we cannot and should not impose a one-size-fits-all set of solutions. As we have for two decades, Internet Society stands ready to support this goal at the technical, development and policy levels.*

### The Honorable Brad Sherman

1. Should we have done more to tell countries that, to use the language here in Congress, we are scoring the vote? That is to say, that those making other important U.S. foreign policy decisions are taking note of how countries vote at the ITU? Is that undue pressure or a demonstration of how important Internet freedom is?

*Clearly Internet freedom, Internet growth and Internet openness are essential for national and global economic growth, free flow of information, and community development – we would hope that these would be priorities of all nations.*

*From the Internet Society's view, our objective in the run-up to WCIT was to demonstrate for policymakers that the Open Internet was at stake in the decisions that they made with regards to the treaty. This is no less important in the post-WCIT environment. It is important to understand that government positions at the WCIT were grounded in their national Internet public policy priorities. While some countries, indeed, aimed for greater governmental control or oversight, many have important questions and, in many cases, legitimate concerns. They have concerns about the high cost of connectivity, privacy, and consumer protection. They have a desire for more information in the areas of IP addressing and numbering. Developing countries have a desire to drive more local traffic and content. Many countries aim to make smart infrastructure investments, to get answers to weighty questions surrounding censorship and human rights, and to have their experts represented in technical standards setting bodies and international policy processes. The challenge for all of us is to help countries address these important questions in a way that that support an Open Internet rather than restrict it.*