

ONE HUNDRED FIFTEENTH CONGRESS  
**Congress of the United States**  
**House of Representatives**

COMMITTEE ON ENERGY AND COMMERCE

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March 22, 2018

The Honorable David Redl  
Assistant Secretary for Communications and Information  
National Telecommunications and Information Administration  
U.S. Department of Commerce  
1401 Constitution Avenue, N.W.  
Washington, DC 20230

Dear Assistant Secretary Redl:

Thank you for appearing before the Subcommittee on Communications and Technology on Tuesday, March 6, 2018, to testify at the hearing entitled "Oversight of the National Telecommunications and Information Administration."

Pursuant to the Rules of the Committee on Energy and Commerce, the hearing record remains open for ten business days to permit Members to submit additional questions for the record, which are attached. To facilitate the printing of the hearing record, please respond to these questions with a transmittal letter by the close of business on Friday, April 6, 2018. Your responses should be mailed to Evan Viau, Legislative Clerk, Committee on Energy and Commerce, 2125 Rayburn House Office Building, Washington, DC 20515 and e-mailed to [Evan.Viau@mail.house.gov](mailto:Evan.Viau@mail.house.gov).

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

Sincerely,



Marsha Blackburn

Chairman

Subcommittee on Communications and Technology

cc: The Honorable Michael F. Doyle, Ranking Member, Subcommittee on Communications and Technology

Attachment

**ATTACHMENT**  
**Additional Questions for the Record**

**The Honorable John Shimkus**

1. The NTIA has the important role of representing U.S. interests on internet governance matters. The internet is a tremendous resource for people and businesses large and small to communicate, create, innovate, and conduct commerce. As we are unfortunately witnessing, however, it has also become a tool for harassment, criminality, and espionage. Now, perhaps more than any other time, we need transparency in the way the internet operates. Only then can we realize the positive vision we all have for the internet, while establishing mechanisms to prevent or hold accountable those who would use it for ill. This will require cooperation from online platforms, which have a responsibility—like all legitimate businesses—to help keep their corners of the neighborhood clean.
  - a. What actions can you take in your capacity as the advisor to the White House on information and technology policy and as the head of the NTIA to promote online platform responsibility, transparency, and accountability—including by registries, registrars, and others?
  - b. There is growing concern that ICANN is on the precipice of needlessly diminishing online responsibility, transparency, and accountability in a manner that will threaten internet security and safety. To comply with the EU’s General Data Protection Regulation, which takes effect in May, ICANN is proposing to require registrars and registries to remove from public access not just truly sensitive personal information, but also basic information like the email addresses that registrants are required to provide to obtain a domain name. This will not only hinder the ability of consumers to obtain responsive customer service on the internet, but also frustrate even preliminary examinations into illicit online activity, such as cyber-attacks, theft of intellectual property, fraud, unlawful sale of drugs, child sex trafficking, and other criminal behavior. While I would not suggest that ICANN should allow unlimited publication of individual domain name holders’ personal data, the GDPR does not require ICANN to withdraw basic information from public view and does not even apply to American registries and registrars offering service in the United States. Nor does it apply to information about companies—as opposed to individuals—yet ICANN is proposing to restrict access to data governing not just “natural persons,” but also legal entities.

In light of these concerns, I was glad to see you say in your Puerto Rico ICANN 61 speech that “one of the top policy priorities for the United States in ICANN is the preservation of the WHOIS service,” that “the United States would encourage revisions to the model to permit access to the most amount of registration data as possible,” that “[p]lans need to be put in place to ensure that the users behind the already defined legitimate purposes—such as law enforcement, intellectual property enforcement, and cybersecurity—are not stymied in their efforts to serve the public interest,” and that “[t]he United States will not accept a situation in which WHOIS information is not available or is so difficult to gain access to that it becomes useless for the legitimate purposes that are critical to the ongoing stability and security of the Internet.”

2. Do you agree that basic information—like registrant email addresses— should remain in a publicly available WHOIS directory?

- a. What steps can you take to ensure that basic WHOIS database information in general remains as robust and publicly accessible as possible?

**The Honorable Pete Olson**

1. While additional spectrum will be critical for 5G and beyond, so will advancements in technology and innovation. Carriers and broadband providers will no doubt need to find creative ways to free up bandwidth to meet consumer needs in a 5G and beyond economy to account for the Internet of Things economy, autonomous vehicles, AR (augmented reality), VR (virtual reality) and new innovations that we have yet to hear about. A realistic 5G and beyond strategy will need to be creative and will not be a 'one-size fits all' solution. A 5G strategy will include spectrum but we know that there is only so much spectrum available for commercial usage. We'll need things like advanced software solutions, chipsets and other innovative technologies.
  - a. In addition to freeing up more spectrum, do you think any comprehensive 5G strategy will include other technologies like software and virtualization and advanced chipsets, among others?

**The Honorable Bill Johnson**

1. Assistant Secretary Redl: It has come to my attention that you may be able to help work with ICANN in your capacity in some manner to resolve the long running situation effecting the accounting community and its application for the gTLD ".cpa".
  - a. What insight are you able to share regarding how Congress can help them work through ICANN's arcane rules and procedures that seem to not help the one-time kind of applicant, such as the accountants?
  - b. Was there any progress made on this issue at the recent ICANN meeting in Puerto Rico?

**The Honorable Billy Long**

1. As we discussed at the hearing, many of us on this committee have consistently supported the common-sense policy of auctioning 1675-1680 MHz for shared government-commercial use. We are pleased that this Administration's two proposed budgets both reflect a priority in seeing this policy through. Concerning the status of this effort, would you please clarify where we are in the process to auction this spectrum, beyond just that the National Telecommunications and Information Administration (NTIA) and the Federal Communications Commission (FCC) are coordinating?
  - a. Specifically, it is my understanding that the next step in the process is for the FCC to issue a Notice of Proposed Rulemaking (NPRM). As we head further into the second year of this Administration, I would like to understand in detail what concrete steps are required before the FCC can issue an NPRM?
  - b. And in your view, has NTIA provided the FCC everything it needs to issue an NPRM?
  - c. Has NTIA signed off on the FCC issuing an NPRM?

- i. If not, has NTIA – under your leadership – received a draft of the NPRM for comment from the current FCC?

**The Honorable Chris Collins**

1. Last week you announced that NTIA, in coordination with the Department of Defense, has identified the 3450-3550 MHz band for potential repurposing for commercial wireless use. This is great news and shows great leadership. The band is particularly valuable because it is adjacent to the 3550-3700 MHz band that the FCC has already designated for mobile wireless use and can potentially be added to the 3700-4200 MHz band, which is also under consideration for commercial wireless operations. Unfortunately, the adjacent 3550-3700 MHz band is saddled with rules – restrictive power levels, among other things – that make it less useful than other commercial bands.
  - a. What are the plans that the Commission is looking at for this band, either by itself or in conjunction with other bands?
2. NTIA’s most critical function is its management of Federal spectrum and the assignment of spectrum to Federal users. With your experience on this Committee, and now at NTIA, are there additional tools that would allow you to better facilitate spectrum negotiations with DOD, FAA, and Homeland Security?
3. Ensuring effective, reliable, and interoperable communications between and among first responders was the goal in establishing FirstNet. Public safety’s transition to commercial technologies like LTE will certainly help to achieve these goals. However, it is also important that new applications be developed and implemented to meet public safety’s unique needs. What is NTIA doing to promote the development of an open, non-proprietary platform for public safety applications that will ensure critical applications are available and interoperable for all first responders regardless of the network they use?

**The Honorable Peter Welch**

1. It has come to my attention that certified public accountants have been struggling to obtain the control of the “.cpa” gTLD. I am concerned about the potential for consumer fraud and deception if such a domain name is awarded in a manner that will confuse consumers about finding actual certified public accountants when online.
  - a. As the Administrator of the National Telecommunications and Information Administration, can you share your thoughts on this ongoing situation with “.cpa” gTLD?