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(Original Signature of Member)

118TH CONGRESS
1ST SESSION

H. R.

To express the sense of Congress with respect to WHOIS information accessibility, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

M introduced the following bill; which was referred to the
Committee on

A BILL

To express the sense of Congress with respect to WHOIS information accessibility, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SENSE OF CONGRESS ON WHOIS INFORMATION.**

4 (a) FINDINGS.—Congress finds the following:

5 (1) The term “WHOIS information” refers to
6 self-reported information identifying who is behind a
7 domain name registration.

1 (2) WHOIS information has been publicly avail-
2 able since before the dawn of the commercial inter-
3 net.

4 (3) Law enforcement agencies and the private
5 sector use WHOIS information to help identify the
6 individuals behind websites engaged in illegal activi-
7 ties.

8 (4) Law enforcement agencies and the private
9 sector use WHOIS information to make connections
10 among websites that have similar or identical reg-
11 istration information, as a way to help identify pat-
12 terns of illicit activity and prevent additional harm.

13 (5) Law enforcement agencies and the private
14 sector use WHOIS information to aid consumer pro-
15 tection, protect privacy, combat illegal drug sales,
16 enforce intellectual property laws, and identify and
17 stop human, sex, and animal trafficking.

18 (6) Access to WHOIS information has been se-
19 verely restricted as a result of an interpretation of
20 the General Data Protection Regulation of the Euro-
21 pean Union.

22 (7) The National Telecommunications and In-
23 formation Administration (“NTIA”) requires that
24 registries and registrars managing the .us top-level

1 domain “maintain publicly accessible accurate”
2 WHOIS information.

3 (8) The NTIA identified WHOIS information
4 as a “critical tool” in an April 2019 letter to the
5 Internet Corporation for Assigned Names and Num-
6 bers (“ICANN”) and encouraged the swift creation
7 of a system to allow continued access to WHOIS in-
8 formation for parties with a legitimate interest, such
9 as law enforcement agencies, public interest groups,
10 intellectual property rights holders, and cybersecu-
11 rity researchers.

12 (9) The loss of access to WHOIS information
13 impedes the ability of law enforcement agencies and
14 the private sector to protect the security and enforce
15 the laws of the United States online.

16 (b) SENSE OF CONGRESS.—It is the sense of Con-
17 gress that domain name registration information, com-
18 monly referred to as “WHOIS information”—

19 (1) is critical to the national security, economic
20 security, and cybersecurity of the United States;

21 (2) is critical to the health, safety, and privacy
22 of the citizens of the United States; and

23 (3) should remain open and accessible.