
The Protecting Internet Freedom Act: A Brief Background

On March 14, 2014 the Obama administration announced its intent to end U.S. Government oversight of the core operating functions of the Internet. The U.S. Government has long protected the core of the Internet from authoritarian regimes who view the Internet as a way to increase their influence and suppress our online freedom of speech. As *The Washington Post* has rightfully highlighted, “China’s scary lesson to the world: Censoring the Internet works.” The United States cannot allow authoritarian regimes to increase their influence over the core operating functions of the Internet.

Unfortunately, that’s exactly what will happen **if Congress fails to act by September 30, 2016**. A plan submitted to the Obama administration by the Internet Corporation for Assigned Names and Numbers (ICANN) will: **(1)** Increase the influence of over 160 foreign governments over the Internet; **(2)** Diminish the role of the United States Government; **(3)** Insert into ICANN’s bylaws an undefined commitment to respect “internationally recognized human rights” which will not only expand ICANN’s historical core mission but could create a gateway to content regulation; and **(4)** Embolden ICANN’s leadership which has a poor track record of acting in an unaccountable manner and a proven unwillingness to respond to specific questions posed by members of the United States Senate.

The Protecting Internet Freedom Act Is Our Last Chance to Save Internet Freedom

- The Protecting Internet Freedom Act ensures the continued protection of Internet freedom by prohibiting the National Telecommunications and Information Administration (NTIA) from allowing the Internet Assigned Numbers Authority functions contract to terminate, lapse, expire, be cancelled, or otherwise cease to be in effect, unless specifically authorized to do so by an Act of Congress granting such authority. This will ensure that the United States Government continues to provide oversight over the core operating functions of the Internet.
- This legislation will also ensure that the United States Government has exclusive ownership and control of the .gov and .mil top-level domains, which are vital to our nation’s national security.
- To accomplish this, the bill requires that not later than 60 days after the date of enactment of the Act, the Assistant Secretary of Commerce for Communications and Information shall provide to Congress a written certification that the United States Government has **(1)** secured sole ownership of the .gov and .mil top-level domains; and **(2)** entered into a contract with ICANN that provides that the United States Government has exclusive control and use of those domains in perpetuity.

Concerns with President Obama's Plan to Give Away the Internet

- *"It would be insane to give away America's registry control of the Internet to some vaguely defined global entity. The usual suspects are trying to make the world safe for cocktail parties at Davos, rather than taking seriously threats from cyber foes and anti-free speech governments that are cheering this move by the Obama administration."*
-Christian Whiton
Former U.S. State Department Official
- *"The United States should not allow other governments to use the [Snowden] leaks as a pretext to gain control of Internet governance."*
- The Washington Post Editorial Board
- *"It's rarely a good idea to put the federal government in charge of anything, but this is a rare case in which the feds have a track record as responsible stewards — for a reason... The United States owes nothing to "international stakeholders" who are determined to make the Internet look more like the United Nations."*
- The Washington Times Editorial Board
- *"Lawmakers should explicitly force the Department of Commerce to retain its current role, over a presidential veto if need be....Which embattled senator wants to go on record as voting against the United States' retaining control of the web?"*
- National Review Editorial Board
- *"Every American should worry about Obama giving up control of the internet to an undefined group. This is very, very dangerous."*
- The Honorable Newt Gingrich
Former Speaker of the U.S. House of Representatives
- *"[T]he United States must retain a strong leadership position in Internet governance... [W]e should maintain oversight of the Internet Corporation for Assigned Names and Numbers (ICANN), which manages the Internet's domain name system."*
- The Honorable Jeb Bush
Former Governor of Florida
- *"The Obama administration has played into the hands of authoritarian regimes. In 2011, Vladimir Putin—who, as Russia took over Crimea in recent days, shut down many online critics and independent media—set a goal of "international control over the Internet."*
- L. Gordon Crovitz
Former publisher of *The Wall Street Journal*
- *"The Commerce Department has assured us that it will not accept a "government-led or intergovernmental organization solution" as a replacement for the U.S. role. But just ruling out the possibility that foreign governments will control the new steward isn't good enough. Our red line should be any change to the Internet's governance structure that would provide repressive foreign governments with any more influence at all over the Internet."*
- FCC Commissioner Ajit Pai