

December 9, 2022

The Honorable Alan Davidson
Assistant Secretary for Communications and
Information National Telecommunications and Information Administration
U.S. Department of Commerce
1401 Constitution Avenue NW
Washington, DC 20230

Dear Assistant Secretary Davidson:

On behalf of the Electronic Transactions Association (ETA), we are writing to raise concerns about the potential contractual changes being considered by the Department of Commerce and National Telecommunications and Information Administration (NTIA) to GoDaddy's contract to manage the .US domain name. In particular, the changes to GoDaddy's contractual requirements to maintain a reliable, freely accessible, public web-based database that includes accurate and verified information of .US registrants. Access to accurate WHOIS information is an important tool to protect consumers from fraud and allow ETA members to continue implementing robust security measures critical to the security of the payments ecosystem.

ETA is the world's leading advocacy and trade association for the payments industry. Our members span the breadth of significant payments and fintech companies, from the largest incumbent players to emerging disruptors in the U.S and more than a dozen countries around the world. ETA members make commerce possible by processing approximately \$27 trillion annually in purchases worldwide and deploying payment innovation to merchants and consumers.

The payments industry has long been committed to protecting the privacy of consumers' data. That commitment and the industry's commitment to security are at the core of the public's trust in the industry. ETA supports a robust federal privacy standard that is principles-based to ensure consumer predictability and consistency. Since privacy and data security are intertwined, any comprehensive privacy regime should ensure that data, including accurate WHOIS data, can continue to be accessed and used to further the industry's robust and effective consumer fraud-protection efforts.

The payments industry never rests — we are working tirelessly to fight fraud and protect consumers by developing new tools to prevent or identify fraud data analysis as well as by frequently introducing new fraud-fighting solutions. The implications of limited access to WHOIS data can impact those tools. WHOIS records help fraud prevention, law enforcement, cybersecurity investigators, and others who rely on this information to help determine who is operating a criminal website, sending malicious emails, or initiating cyber-attacks.

ETA encourages the NTIA to consider making WHOIS registration data publicly available in order to help protect consumers from online criminal activity. By working together, lawmakers, regulators, and industry participants can protect consumers while providing them with access to the safest and most convenient payments system in the world.



Thank you again for your leadership and we look forward to working with you and your staff on this issue. If you have any questions, please contact me or ETA's Senior Vice President of Government Affairs, Scott Talbott at stalbott@electran.org.

Sincerely,



Jeff Patchen
Director of Government Affairs
Electronic Transactions Association

