



September 20, 2010

Via email: [cybertaskforce@doc.gov](mailto:cybertaskforce@doc.gov)

National Telecommunications and Information Administration  
U.S. Department of Commerce  
1401 Constitution Avenue, NW, Room 4725  
Washington, DC 20230

Re: Network Solutions' Response to the Notice of Inquiry on Cybersecurity, Innovation and the Internet Economy

Network Solutions, a leading provider of Internet-based services for small businesses, provides these comments to the Department of Commerce ("Department") and the Department's Internet Policy Task Force ("IPTF") in response to the Notice of Inquiry on Cybersecurity, Innovation, and the Internet Economy.<sup>1</sup> As we commented in response to the Department's earlier Notice of Inquiry on information privacy and innovation in the Internet economy, Network Solutions supports efforts to foster the free flow of information online and the growth of a strong, secure Internet ecosystem.<sup>2</sup> We believe that the Department should take steps to remove impediments to online commerce, lower the risk of online threats, and ensure that regulation does not hinder online innovation and the emergence of new product and services offerings.

Network Solutions has long supported the Department's mission and efforts to foster an open and free Internet. Network Solutions has frequently participated in the Department's efforts to promote and improve the coordination, security, and management of the Internet's Domain Name and Addressing System, and supported the Department's arrangement with the Internet Corporation for Assigned Names and Numbers ("ICANN"). We look forward to continuing our productive dialogue with the Department as it explores ways to strengthen cybersecurity while fostering online innovation and commerce.

Below, we present our specific comments in response to the Department's Inquiry.

**I. The Department is appropriately engaged in a process to identify specific concerns.**

Network Solutions supports the Department's adoption of a deliberative approach to cybersecurity. With this Notice of Inquiry, the Department has initiated an appropriate process to identify the issues to be addressed before developing any recommendations concerning cybersecurity. Network Solutions believes it is vital for specific concerns to be identified, analyzed, and publicly commented on before any recommendations are made. It is also critical to explore the present environment to understand current cyberthreats and existing efforts before any course of action is developed nationally or internationally. Such a process will ensure that the scope of recommendations is not overly broad, which will minimize unintended consequences for unrelated matters and/or business practices.

**II. Network Solutions supports continued efforts to address cybersecurity by raising awareness.**

Network Solutions agrees with the Department that education and other forms of awareness-raising will continue to be critical in protecting against cyberthreats. Network Solutions supports efforts to educate businesses and consumers to raise awareness about cybersecurity, and applauds the government's commitment to increasing resources for this purpose. While there is no "silver bullet" to

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<sup>1</sup> 75 Fed. Reg. 44216 (July 26, 2010).

<sup>2</sup> Comments of Network Solutions, filed June 1, 2010, available at <http://www.ntia.doc.gov/comments/100402174-0175-01/attachments/Network%20Solutions.pdf>.

secure persons and infrastructure from online threats, education can reduce harms incurred from online activity by encouraging the use of existing protective measures.

Network Solutions pursues this approach in our own business. In addition to our domain name registration services, Network Solutions provides e-commerce solutions for thousands of small businesses nationwide. We have developed several tools to help our customer entrepreneurs remain secure. Network Solutions maintains resources (e.g., blog, informational videos, solution guides) through its website to help educate users about how to secure their web site and communications, as well as related topics such as how to make secure decisions about online partners like web hosting services. We hope that the Department will recognize and support this type of effort as its process continues.

### **III. The Department should support industry self-regulation.**

Network Solutions recommends that the Department should recognize the important role of industry self-regulation in addressing cybersecurity concerns. Strong self-regulatory regimes have many advantages. These programs are designed to be flexible, so that they may be applied across different sectors of industry and adapt quickly to new developments such as emerging threats. Through self-regulation, industry is able to dialogue with governmental agencies to address concerns proactively and productively. Thus, we suggest that self-regulatory frameworks be acknowledged by the Department and made part of any recommendations.

The current success of the U.S. technology sector illustrates the benefits of a self-regulatory strategy. As the Department is aware, the Internet has experienced explosive growth and continues to expand. This growth is fueled by online innovation and the emergence of new business models that deliver products and services that consumers desire. Much of this vibrant e-commerce marketplace is due to online entrepreneurs like Network Solutions' small business customers. This has all been possible through robust market competition and a general approach of avoiding broad, prescriptive, or inflexible regulation that might stifle Internet activity.

Network Solutions therefore believes that the Department should continue the current approach to cybersecurity, which has emphasized the development of new protective tools along with education to encourage adoption of such tools.<sup>3</sup> The existing framework has permitted small businesses to flourish and compete in the marketplace. The Internet and technology continue to evolve, and new channels and online tools continue to emerge. Even with the best intentions, any new regulations or standards could chill innovation or slow the introduction of new technologies unless they are carefully crafted to avoid negative unintended consequences.

### **IV. The Department should ensure that its recommendations do not impede or frustrate the competitiveness of American businesses.**

Network Solutions appreciates the Department's commitment to improving cybersecurity while also sustaining innovation.<sup>4</sup> As the Department noted,<sup>5</sup> cybersecurity is a multilateral issue cutting across national boundaries and diverse legal systems. We therefore share the Department's concern about other countries' use of unique national cybersecurity standards that function as trade barriers.<sup>6</sup>

Likewise, Network Solutions believes that the Department should avoid recommending or adopting any rules or standards that place American companies at a competitive disadvantage in comparison to foreign companies in the international marketplace. The Internet is a seamless

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<sup>3</sup> 75 Fed. Reg. at 44218.

<sup>4</sup> *Id.* at 44216.

<sup>5</sup> *Id.* at 44221.

<sup>6</sup> *Id.*



ecosystem that knows no international boundaries; thus, American service providers could be placed at a disadvantage if held to more onerous obligations or requirements not shared by international counterparts. This is especially true when companies are competing to provide similar services that do not require geographic proximity, as with domain name registration and many other Internet-based services. Network Solutions also notes that there are national security advantages for the United States in having key industries, such as domain name services and technology services more generally, remain located in our country.

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Thank you for considering our comments. We look forward to working with the Department of Commerce and the IPTF in considering these important issues. Please contact me at 703-668-5515 or at [shammock@networksolutions.com](mailto:shammock@networksolutions.com) with any questions.

Sincerely,

A handwritten signature in black ink that reads 'A. Statton Hammock, Jr.'.

A. Statton Hammock, Jr.  
Sr. Director, Law & Policy