



November 14, 2011

The Honorable John Bryson
Secretary
U.S. Department of Commerce
1401 Constitution Avenue, NW
Washington, D.C. 20230

Dear Secretary Bryson:

On behalf of Screen Actors Guild, I am writing to express our deep concern regarding the June 2011 decision by the Internet Corporation for Assigned Names and Numbers (ICANN) to approve the top-level domain (gTLD) Applicant Guidebook and to move ahead with plans to open the new gTLD application window on a virtually unlimited basis in January 2012.

ICANN's action was taken despite widespread and significant objections raised throughout the process by many in the global community of Internet users. ICANN's decision was not made in the public interest, does not promote consumer trust and does not benefit the public, as required in the Affirmation of Commitments between ICANN and the National Telecommunications and Information Administration (NTIA).

We are also extremely concerned about other facts that have come to light since ICANN announced the most recent iteration of the Applicant Guidebook — including troubling conflict-of-interest questions — which raise questions about the entire process leading up to ICANN's decision. Given the current state of the global economy and the shadow of possible conflict of interest, we find that caution is warranted and that there is a need to reconsider moving forward with ICANN's plan, given its undisputed costs and its as-yet-unproven benefits.

The ICANN proposal would unduly burden a diverse range of public and private brand holders, companies with whom our members are associated. This also presents an undue burden on our organization, as a globally recognized brand. Under this rule, many brand-holders would be forced to spend ever-greater amounts of time and resources simply to protect their brands. In addition, there is an unacceptably high risk that the ICANN plan would confuse consumers, increase the already unacceptable level of fraud and identity theft on the Internet, create new opportunities for Internet crime and jeopardize cyber security. These potential risks are unacceptable and the undue haste with which the plan is being moved through the process is simply an unwarranted rush to implement an unproven and demonstrably adverse program.

Not-for-profit organizations, such as the Guild, and many for-profit businesses have repeatedly raised these issues with ICANN over the last four years, with no acceptable resolution.

For these reasons, we join the hundreds of reputable companies and brands respectfully calling on the Department of Commerce and, specifically the NTIA, to persuade ICANN to postpone the opening of the top-level domain application window unless or until such time as ICANN convincingly demonstrates that unlimited gTLD name expansion would:

SCREEN ACTORS GUILD

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Branch of Associated Actors and Artistes of America / AFL-CIO ★ Affiliate of International Federation of Actors

- Promote consumer trust;
- Enhance Internet security;
- Promote widespread economic benefits across diverse economic sectors and stakeholders; and
- Demonstrate that these benefits will exceed the costs that such gTLD expansion would inevitably impose on the global Internet community.

Respectfully submitted,



David P. White
National Executive Director

cc: Hilda L. Solis, Secretary of Labor
Victoria Espinel, White House Intellectual Property Enforcement Coordinator
Paul Almeida, President, Department of Professional Employees, AFL-CIO
Lawrence E. Strickling, Assistant Secretary for Communications and Information and
Administrator, National Telecommunications and Information Administration, U.S.
Department of Commerce
Fiona Alexander, Associate Administrator, National Telecommunications and
Information Administration, U.S. Department of Commerce
Vernita Harris, Deputy Associate Administrator of the Office of International Affairs,
National Telecommunications and Information Administration, U.S. Department of
Commerce
Cameron F. Kerry, General Counsel, U.S. Department of Commerce
John D. Rockefeller, Chairman, Committee on Commerce, Science and Transportation,
U.S. Senate
Patrick J. Leahy, Chairman, Committee on the Judiciary, U.S. Senate
Kay Bailey Hutchison, Ranking Member, Committee on Commerce, Science and
Transportation, U.S. Senate
Charles E. Grassley, Ranking Member, Committee on the Judiciary, U.S. Senate
Agencies, Committee on Appropriations, U.S. Senate
Fred Upton, Chairman, Committee on Energy and Commerce, U.S. House of
Representatives
Lamar Smith, Chairman, Committee on the Judiciary, U.S. House of Representatives
Henry A. Waxman, Ranking Member, Committee on Energy and Commerce, U.S. House
of Representatives
John Conyers, Ranking Member, Committee on the Judiciary, U.S. House of
Representatives
Bob Goodlatte, Chairman, Subcommittee on Intellectual Property, Competition and the
Internet, Committee on the Judiciary, U.S. House of Representatives