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MARKUP OF H.R. _____, A BILL TO AFFIRM THE POLICY OF THE UNITED STATES
REGARDING INTERNET GOVERNANCE

WEDNESDAY, APRIL 10, 2013

House of Representatives,
Subcommittee on Communications
and Technology,
Committee on Energy and Commerce,
Washington, D.C.

The subcommittee met, pursuant to notice, at 4:00 p.m., in Room 2123, Longworth House Office Building, Hon. Greg Walden [chairman of the subcommittee] presiding.

Present: Representatives Walden, Latta, Terry, Blackburn, Scalese, Kinzinger, Barton, Upton (ex officio), Eshoo, Doyle, Matsui, and Waxman (ex officio).

Staff Present: Gary Andres, Staff Director; Ray Baum, Senior

Policy Advisor/Director of Coalitions; Mike Bloomquist, General Counsel; Matt Bravo, Professional Staff Member; Andy Duberstein, Deputy Press Secretary; Neil Fried, Chief Counsel, C&T; Debbie Hancock, Press Secretary; Sydne Harwick, Legislative Clerk; Brittany Havens, Legislative Clerk; Peter Kielty, Deputy General Counsel; David Redl, Counsel, Telecom; Charlotte Savercool, Executive Assistant, Legislative Clerk; Tom Wilbur, Digital Media Advisor; Phil Barnett, Minority Staff Director; Jen Berenholz, Minority Chief Clerk; Elizabeth Letter, Minority Assistant Press Secretary; Roger Sherman, Minority Chief Counsel; and Kara van Stralen, Minority Special Assistant.

Mr. Walden. We are going to call to order the Subcommittee on Communications and Technology. And I am going to recognize myself for an opening statement and then turn the gavel over to Mr. Latta from there, as I have another commitment on the Steering Committee I have to attend to, and I know the chairman does as well.

Last year the House and Senate unanimously passed resolutions expressing the sense of Congress, the United States should promote a global Internet free from government control. At the time our U.S. delegation was preparing to negotiate a treaty in Dubai on international telephone policy that we feared some countries would use to regulate the Internet. Now, by all accounts, our resolution emboldened more than 50 nations to join the United States in opposing proposals to drag the Internet within the ambit of the International Telecommunications Union, a U.N. agency.

Unfortunately, that was the start, not the end of international efforts to regulate the Internet, and just as international opponents of an Internet free from government control are redoubling their efforts, so, too, must we. That is why earlier this year we held a hearing on legislation taking the language of last year's resolution and then making it the official policy of the United States, and that is why we are marking up this legislation today.

I want to emphasize that this is the same language we passed last year, but by elevating the legislation to the official policy of the United States instead of just a mere resolution urging the U.S. delegation to oppose a particular treaty proposal, Congress will

demonstrate its complete commitment to Internet freedom and will push back on those nations that might subvert the Internet for their own purposes; and it will show the strength of our Nation's resolve to keep the Internet free from government control, free from censorship, free to spread democracy and economic prosperity around the world.

Governments' hands-off approach has enabled the Internet to grow at an astonishing pace and become perhaps the most powerful engine of social and economic freedom and job creation that the world has ever known. Under the current multistakeholder governance model, nonregulatory institutions manage and operate the Internet by developing best practices with public and private sector input.

This is not to say that the Internet operates outside the law. To be sure, illegal activity should be no less illegal simply because someone has used digital tools rather than ones of brick and mortar. Fraud is fraud, for example, whether perpetrated by paper, over the phone, or via the Web. Child pornography is no more legal if it is disseminated over the Internet rather than in photographs and magazines.

But punishing illegal activity is different than regulating the Internet itself. The structure of the Internet and the content and applications it carries are organized from the ground up, not handed down by governments. This allows the Internet to evolve quickly, to meet the diverse needs of users around the world and to keep government or non governmental actors from controlling the design of the network or the content it carries.

Last Congress we talked the talk and we passed a resolution defending a global Internet free from government control. This Congress we must walk the walk and make it the official United States policy. If this is a principle that we truly believe in, there is no downside to stating so plainly in United States law.

As the world is literally watching this subcommittee, ironically via the very multistakeholder-driven Internet this legislation would protect, I urge my colleagues to continue the bipartisan cooperation this subcommittee displayed last Congress and affirm that the Internet is too important to the world to be run by governments.

And with that, I would yield back the balance of my time and recognize my friend from California, the ranking member of the subcommittee, Ms. Eshoo.

[The prepared statement of Mr. Walden follows:]

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Ms. Eshoo. Thank you, Mr. Chairman. It really is with deep disappointment that I have to express my opposition to the legislation being considered before the subcommittee. Our respective staffs have been in regular communication with the Federal Communications Commission and the State Department to solicit feedback on the proposed legislation. Both agencies, as well as NTIA and the Department of Justice, have expressed significant reservations about the proposed approach, and they have recommended changes to address unintended consequences.

Now, Mr. Chairman, I wrote to you on February 25th, and I would like to ask unanimous consent that my letter be placed in the record.

Mr. Latta. [Presiding] So moved.

[The letter of Ms. Eshoo follows:]

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Ms. Eshoo. Thank you, Mr. Chairman. I outlined my specific concerns. But as of today, I never even received the courtesy of a reply. And I know that it was confirmed that the letter was received.

Now, today, despite the important legitimate feedback we have received, we are on our way to marking up a bill that looks largely the same as the discussion draft offered at our February 5th hearing. Now, last Congress there is no question in my mind that our bipartisan work together resulted in the unanimous passage of a sense of Congress aimed prospectively at the WCIT conference in Dubai. Last year's resolution demonstrated our unwavering support for the Internet's multistakeholder model and avoided any complications that could develop as a result of placing a formal policy statement in statute, because that is what this does.

In fact, four federal agencies have expressed concern that a policy statement and statute could unintentionally impact ongoing or future agency litigation or undermine administration flexibility in conducting foreign policy. Furthermore, the expert agencies have expressed concern with the term, quote, "government control," unquote. One diplomat suggested that the use of this term might actually undermine existing Internet governance institutions, such as ICANN, because of its close relationship with our government. Foreign countries frequently cite the close coordination between ICANN and the U.S. Department of Commerce as an example of U.S., quote, control over the Internet

So I firmly believe that it is critical, and I really believe this.

I don't think we can afford to have any daylight between Republicans and Democrats on this. We demonstrated that together in the last go around. I think we need to be completely in sync, and I think that any split between Republicans and Democrats will send the wrong signal to the international community and could undermine the efforts of our diplomats going forward.

Just as our unity strengthened the hand of our diplomatic delegation at Dubai, I think that if we go in different directions that it is going to hurt, it is going to hobble them, and I don't think there is any reason for this. It is just we are making a mess that doesn't have to be made.

So, Mr. Chairman, during tomorrow's markup, I intend to offer specific amendments to address the concerns that have been raised by our expert agencies. I hope that the majority will stand back from the journey that you are proposing today. I don't think it is the path that we should go down. I think that it is not in the best interests of our country, and there are unintended consequences. It is one thing to state the position of our country through a sense of Congress, but we can debate this tomorrow.

But regrettably, if this is what the majority is going to insist upon, I am going to -- I have to oppose it, because it is not structured well. I don't believe it has been vetted. I don't think the agencies that have leaned in have -- and what they have expressed has been dealt with. And if they have been dealt with the way I have been dealt with, you know what, it really is not -- it is not the way for us to work

together. It just isn't. And I feel badly saying it, but it is the case.

So with that, I will yield back the balance of the time that I don't have anymore. Thank you.

Mr. Latta. The gentlelady yields back.

[The prepared statement of Ms. Eshoo follows:]

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Mr. Latta. The chair now recognizes the chairman of the full committee, Mr. Upton, for his opening statement.

The Chairman. Well, thank you.

You know, last Congress both chambers passed a resolution directly our delegation at the World Conference on International Telecommunications, quote, "to promote a global Internet free from government control," end quote.

That resolution helped unite the U.S. and more than 50 other countries in opposing treaty proposals that would subject the Internet to regulation at the hands of a U.N. agency and facilitate Internet censorship by foreign governments. Such threats, unfortunately, continue to grow, and that is why we are taking the language from last year that unanimously passed the House twice and the Senate once and converting it from a sense of the Congress about a specific treaty negotiation to a general statement of U.S. policy.

This is an important step to show our Nation's resolve and it will send an important signal to the international community. If we really meant what we said last year, there is no reason not to enshrine it into law. We were all in agreement last year and we should continue to stand in agreement today.

So I urge my colleagues to lock arms in a bipartisan showing of support for the current multistakeholder process that has served the Internet so well and vote for the same language we all agreed to last year in support of Internet freedom. And I yield back

Mr. Latta. The gentleman yields back.

[The prepared statement of The Chairman follows:]

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Mr. Latta. And the chair would now recognize the gentleman from California, Mr. Waxman, the ranking member of the full committee, for an opening statement.

Mr. Waxman. Thank you very much, Mr. Chairman.

Last year we worked on a bipartisan, bicameral basis to pass a unanimous resolution affirming our commitment to an Internet that allows citizens around the world the ability to access any lawful content they desire without government interference. We also affirmed our support for the so-called multistakeholder model of Internet governance that has allowed the Internet to flourish.

Democrats and Republicans stood together to send a strong message to the rest of the world that despite our domestic policy differences, we all want the administration to resist efforts by some to insert international organizations like the ITU into Internet governance. We have been told by stakeholders and our diplomats that this message was received loud and clear by the international community and made a real difference in their efforts in Dubai.

Unfortunately, today the Republican majority insists on abandoning this bipartisan accomplishment. Instead of a unanimous vote in both the House and the Senate, we are looking at a partisan debate for all the world to see. I was an original cosponsor of the resolution containing similar language last Congress, but there are significant differences between resolutions and laws and how these measures are interpreted. Instead of passing a resolution expressing the sense of Congress, we are now, under this proposal, asking the

President to sign a policy statement into law. This policy statement will be debated, interpreted, and reinterpreted in various contexts for years to come, and it will have the force of law.

One of my concerns is that this policy statement is actually a backdoor attempt to undermine the FCC's open Internet rules and hamstring the Commission's ability to manage the I.P. transition. We have been told by the proponents of this bill that that is not what they intend, but when we pointed out how the language could be used by opponents of an open Internet and asked for a savings clause to make it clear that the FCC's authority remains intact, we have been rebuffed.

And it is not just the FCC's authority to protect the open Internet that is at risk. Experts we have consulted have said that an Internet free from government control might suggest that the U.S. government could not initiate measures to prevent intellectual property theft online. The same argument could be made about efforts to fight child pornography online or with regard to efforts to stop a cyber attack from North Korea or Iran against the United States, Israel, or South Korea. If my Republicans are not intentionally trying to limit our ability to respond to threats online, why won't they make that clear through a simple savings clause?

When we shared the draft legislation with the Federal agencies, we learned that they likewise have serious concerns. FCC staff told us that this bill could be used to undermine the FCC's ability to protect consumers and competition online. NTIA has told us that the legislation is unnecessary and could result in unintended

consequences. The Department of Justice indicated this bill would hamstring our ability to advocate internationally against child exploitation, ID theft, and credit card fraud online. The State Department said the legislation undermines legitimate government regulation of online activities and could lend support to foreign entities that argue against the U.S. role in the management of Internet architecture.

Well, this doesn't make sense to me. We have said repeatedly that we stand ready to work together on a post-WCIT resolution that would direct the administration to hold firm and continue its resistance to some of the proposals that emerged in Dubai. We believe we could jointly tailor a forceful statement that would generate broad bipartisan, bicameral support without raising questions about the consequences of the overly broad bill we are considering today.

So I don't get it. We urge, Mr. Chairman, that we have a reconsideration on the part of those who are advancing this bill and that we avoid moving forward on a partisan basis. We should resolve our differences on this legislation through compromise, not the approach that the committee chairman has elected to pursue. I hope that we can change our path, but I must say I regret I cannot support the measure in its current form.

Mr. Latta. Thank you very much.

[The prepared statement of Mr. Waxman follows:]

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Mr. Latta. The gentleman yields back. And the chair will now recognize himself for an opening statement.

As we mourn the passing of former British Prime Minister Margaret Thatcher this week, we are thankful for and inspired by her steadfast resolve and dedication to the cause of freedom. However, while the Cold War battles of the Iron Lady's day may be over, freedom and prosperity still have many foes. Today, the Internet has become one of the world's most powerful forces to freedom and prosperity. It has revolutionized the global economy while also providing access to information and free expression. However, this revolution occurred and continues to develop because the Internet has been able to flourish under the current multistakeholder model of governance.

Unfortunately, there is a movement to subject this Internet to governmental control, thereby threatening the possibilities for social and economic freedom around the world that the Internet enables. Developments at the World Conference on International Telecommunications last December in Dubai moving in this direction were troubling, an indication that this issue is not going away.

Last year, Congress passed a resolution encouraging the U.S. delegation at the Dubai conference to promote a global Internet free from government control. The unanimous support for the resolution from both the House and the Senate was instrumental in bolstering more than 50 nations to join the United States in opposing treaty proposals that would allow international regulatory bodies to subvert the management and structure of the Internet.

International attempts to throttle the Internet continue to grow, however. That is why today we are asking the same language from last year's resolution and elevating it to a statement of U.S. policy instead of just a sense of Congress about a specific treaty negotiation.

Going forward, it is critical that it becomes the policy of the United States to promote a global Internet free from government control and preserve and advance a successful multistakeholder model that governs the Internet. Just as freedom must always be defended, the United States must stand steadfast in its defense and promotion of Internet freedom.

And with that, I yield back.

[The prepared statement of Mr. Latta follows:]

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Mr. Latta. And the chair reminds members that pursuant to the committee rules, that all members' opening statements will be made part of the record.

Are there further opening statements? Mr. Doyle, the gentleman from Pennsylvania, is recognized for an opening statement.

Mr. Doyle. Thank you, Mr. Chairman. Mr. Chairman, last year, I and many of my colleagues on both sides of the aisle supported a joint resolution that sent a clear message to the United Nations and the ITU not to adopt measures that would make it easier for governments to track, censor or surveil citizens. I would support a similar measure if it were offered again.

But, Mr. Chairman, instead today we are being offered a policy statement which, according to the FCC, the State Department, the NTIA and the Department of Justice would have widespread negative impact on U.S. domestic and foreign policy. This draft language could significantly affect the FCC's regulatory authority, the State Department's ability to conduct diplomacy, and the Department of Justice's ability to pursue criminals.

Mr. Chairman, I would submit that if the intent of this language is to send a clear message to international organizations seeking to assert control over the Internet, why don't we send them a message in a united voice and amend this bill and make it bipartisan? I hope we are able to do that.

Mr. Chairman, with that, I will yield back my time.

Mr. Latta. Thank you very much.

[The prepared statement of Mr. Doyle follows:]

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Mr. Latta. The gentleman yields back. And the chair would now recognize the vice chairman of the full committee, from Tennessee, Mrs. Blackburn, for her opening statement.

Mrs. Blackburn. Thank you, Mr. Chairman. And I am so pleased that we are moving forward today with this measure and trying to make it official policy of the United States, to support the multistakeholder governance model that has helped our communications marketplace thrive. We all know that last December a dangerous precedent was set for the future of global Internet freedom at the WCIT-12 in Dubai.

With all the problems we face domestically and internationally, the last thing we need is to back away from aggressively defending Internet freedom. Chairman Walden's resolution simply elevates a sense of Congress about a specific treaty negotiation.

Now, this sense of Congress has passed unanimously twice, not once, but twice, and we would make this a general statement of U.S. policy. And why shouldn't it be a statement of U.S. policy? The statement being this: that we oppose attempts to regulate the Internet through an arm of the United Nations. That would be the statement that we make.

We should pass this measure and then we should all commit ourselves to the free market, multistakeholder Internet governance model that has worked so well in the past. Failing to do so would send an incredibly bad and discouraging message to the rest of the world and put our innovators here at home in a very difficult position.

So thank you for your time. I look forward to seeing this effort through to the end. I yield back my time.

[The prepared statement of Mrs. Blackburn follows:]

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Mr. Latta. The gentlelady yields back. And the chair would now recognize the gentlelady from California, Ms. Matsui, for her opening statement.

Ms. Matsui. Thank you, Mr. Chairman.

Last Congress we acted responsibly, in true bipartisan manner, to demonstrate a united front in support of the U.S. delegation and to protect the current multistakeholder approach to protect a free and open Internet. That is why it is puzzling that we seem to be abandoning our bipartisan efforts to make this into a real partisan issue and divide Congress.

This bill has nothing to do with the ITU but is about questioning the FCC's net neutrality rules and authority to implement IP transition. By changing a sense of Congress resolution into an official policy statement of the United States, this bill will have many unintended consequences on domestic telecom policy, including undermining the laudable efforts of the FCC to transition and reform the Universal Service Fund from telephone service to broadband, among others.

The bill is about rehashing the debates of the past. We all know that each time net neutrality comes up it takes the oxygen out of our subcommittee. The bill is also about prejudging the debates of the future, specifically concerning the transition to IP-based voice services. The FCC has an open proceeding on this issue, but the bill we are marking up seems to be drawing the conclusion that regardless of what the FCC chooses to adopt down the road, their authority in

regards to Internet-based services will be limited.

In today's global digital economy, it is more important than ever that Congress demonstrates a united front to fight against international efforts to enforce government control over the Internet. America cannot be divided here. We must speak with one voice and lead by example. Unfortunately, this bill seems to derail a non partisan global issue, and I therefore must urge my colleagues to reject this legislation.

I yield back the balance of my time.

Mr. Latta. Thank you very much.

[The prepared statement of Ms. Matsui follows:]

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Mr. Latta. The gentlelady yields back. And the chair will now recognize the chairman emeritus of the full committee, Mr. Barton, for his opening statement.

Mr. Barton. Thank you, Mr. Chairman. I am going to submit my formal statement for the record and just speak extemporaneously.

I have listened to Ranking Member Eshoo and full committee Ranking Member Waxman, Mr. Doyle, now the gentlelady from California all express various concerns about this bill. It is only three pages long. The first two pages are whereas, whereas, whereas. To the extent it is substance, it is one paragraph. Section 2 on page 3 simply says, "It is the policy of the United States to promote a global Internet free from government control and to preserve and advance a successful multistakeholder model that governs the Internet."

As my friends on the minority side have pointed out, we passed an identical or almost identical piece of legislation in the last Congress as a sense of the Congress. This one has a little more bite to it because if it passes the House, the Senate, and the President signs it, it would become law. Having said that, it is the interest of everybody in this country to have an Internet that is not run by any government other than those issues that have to be set by standards, international standards on technical merit of how you actually interconnect between nations.

This is the committee that created or legislated the creation of the Internet back in 1996 with the Telecommunications Act 1996. Why we would now decide as a committee to oppose this paragraph is really

puzzling because it just reaffirms the policy that has been a bipartisan policy on this committee for the last 17 years. And if in fact there is some hidden meaning in this similar to what some of my friends on the minority side have said, then let's hold hearings on that, and if we need to take substantive action, do so.

But I don't think this in any way restricts the FCC from doing its routine business in terms of domestic federal communications policy. It simply says we don't want the Chinese beginning to intervene on the Internet or the Indians or the Iranians or the Russians or any other foreign country, and that is what concerns the majority, and that is why we are moving the bill. So I would --

Ms. Eshoo. Would the gentleman yield?

Mr. Barton. Sure.

Ms. Eshoo. I appreciate it. As you know, in working with members when you were chairman, that is exactly what you did. When the minority raised questions, said we are not comfortable with such and such a thing, agencies have weighed in, they have objections. I mean, I am not hurt personally because this is all business, but when I write a letter to the chairman on February 25th and there is never any response from anyone. So no one has sat down to meet with us.

And I think that that, you know, that doesn't serve us well. We don't have to be coming here and raising our objections now. Now, maybe we would have ended up doing that because maybe we would not have agreed, but no one responded to us. And you know what, that is not a good way for us to operate here. It just isn't. So I appreciate your yielding.

Mr. Barton. Let me reclaim my lapsed time here. Let me promise the gentlelady from California, who is the ranking member on the subcommittee, I am absolutely certain that if you personally go to subcommittee Chairman Walden or full committee Chairman Upton face to face, they will agree to sit down and work with you and encourage their staffs to do. I don't doubt what you said because you are an honest person, but I can assure you that this is not an issue our leadership on this committee wants to have a partisan tiff over. That is not in the DNA of Mr. Upton and Mr. Walden. So to the extent there are communication issues, I am absolutely certain those can be worked out. And hopefully that means the policy issue can be worked out.

With that, I yield back.

[The prepared statement of Mr. Barton follows:]

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Mr. Latta. The gentleman yields back. The chair now recognizes the gentleman from Illinois, Mr. Kinzinger, for his opening statement.

Mr. Kinzinger. Thank you, Mr. Chairman.

I appreciate Chairman Walden holding this important markup regarding Internet governance, and I am taken a bit back by the response I have been hearing from the other side of the aisle. I recall, and I think I recall correctly, that nearly everyone on this committee voted unanimously to pass nearly identical language in the 112th Congress. I ask my friends across the aisle if they have now decided to go against those previous votes by opposing this bill. And specifically I ask if the most important subsection of this draft legislation, that, quote, "The position of the United States government has been and is to advocate for the flow of information free from government control," end quote, is that something you agree with or not?

The Internet has thrived not because of government regulation, but, frankly, through the freedom from government regulation. And the fact of the matter is, since we passed H. Con. Res. 127 in the 112th Congress, those governments who wish to see the International Telecommunications Union take control of the Internet have continued to push forward in an even more aggressive matter.

That is why it is time for the U.S. House of Representatives and for this committee to take additional steps in order to show the world that the policy of the United States government is to maintain the multistakeholder governance model which has allowed the Internet to thrive. The strongest message we can send to those abroad is that it

is the policy of the United States government to block repressive regimes from restricting the use of an open and free Internet, period. I support the draft legislation before us today, and I hope everyone on the subcommittee does as well, and I yield back.

[The prepared statement of Mr. Kinzinger follows:]

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Mr. Latta. The gentleman yields back. And the chair now have recognizes the gentleman from Louisiana, Mr. Scalise, for his opening statement.

Mr. Scalise. I want to thank the vice chairman. I appreciate you having this hearing and glad that we are bringing this legislation to the subcommittee, ultimately the full committee and the House. You know, I thought it was a bright spot last year when we all came together as Republicans and Democrats and said that we think it is critically important to maintain the multistakeholder model that governs the Internet. It has been one of the very few bright spots in our economy here in the United States.

But if you look at the leaders, the companies that are the leaders in the world in Internet technology, they are almost all primarily here based in the United States. And part of their success, the fact that they are growing so big in a tough economy, is because we have got this multistakeholder governance, that you are not having to worry about government interference from country to country. And believe me, there are countries out here that want to get involved in being able to control and censor and in some cases shut down the Internet, and we have got to fight that tooth and nail with everything we have.

And like I said, it was a bright spot when Republicans and Democrats came together last year to say we want to be on record, Congress opposes any attempt by WCIT, any United Nations entity, any multigovernmental, multinational entity that is trying to come in and mess up and interfere with this multistakeholder model, jeopardizes

the growth of the Internet, jeopardizes the economic successes we have gotten from it and so many of the wonderful things that technology has afforded individuals in improving our daily lives.

And so now that we come to actually put real teeth in it, to say it is not just a resolution, it is going to be an act, it is going to be a law, not just a resolution, no real substantive changes in the policy, but if you voted for the resolution, all of a sudden now for some people to try to make it partisan, to now say they are against this and they don't want us to do something with teeth in it, well, then what was the purpose of voting for it in the first place?

Because the threat is still out there. Dubai is over, but the people that want to impose this will, the different countries, like Russia, like China, and others that want to interfere with that multistakeholder process are still out there and they are still pursuing whatever means they can to try to interfere with and potentially censor Internet creativity.

We have got to be on record saying it is wrong, we as a nation are against it. We did it a year ago and we did it in a way that I thought made this institution look better, and there is no reason to oppose this piece of legislation that just puts more teeth into what already was a good effort to make it even stronger and be on record to say it would be a bad idea and we are going to fight with everything we have against any attempt to interfere with the multistakeholder model that has worked so incredibly well for our economy with the Internet.

So with that, I support the legislation and I yield back the balance of my time.

Mr. Latta. Thank you very much.

[The prepared statement of Mr. Scalise follows:]

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Mr. Latta. The gentleman yields back. Are there any other members wishing to offer an opening statement? Hearing none, the chair would then call up the committee print and ask the clerk to report.

The Clerk. Discussion draft, a bill to affirm the policy of the United States regarding Internet governance.

Mr. Latta. Without objection, the first reading of the bill is dispensed with and the bill will be open for amendment at any point. So ordered.

[The discussion draft of the bill follows:]

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Mr. Latta. For the information of the members, we are now on the committee print to affirm the policy of the United States regarding Internet governance. The committee will reconvene at 2:15 tomorrow afternoon. And I remind members that the chair will give priority recognition to amendments offered on a bipartisan basis. The chair looks forward to seeing all of you tomorrow. And without objection, the committee stands in recess.

[Whereupon, at 4:35 p.m., the subcommittee was recessed, to be reconvened at 2:15 p.m., Thursday, April 11, 2013.]