

**6 USC 665: Duties and authorities relating to .gov internet domain**

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**From Title 6-DOMESTIC SECURITY**

CHAPTER 1-HOMELAND SECURITY ORGANIZATION

SUBCHAPTER XVIII-CYBERSECURITY AND INFRASTRUCTURE SECURITY AGENCY

Part A-Cybersecurity and Infrastructure Security

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## §665. Duties and authorities relating to .gov internet domain

### (a) Definition

In this section, the term "agency" has the meaning given the term in section 3502 of title 44.

### (b) Availability of .gov internet domain

The Director shall make .gov internet domain name registration services, as well as any supporting services described in subsection (e), generally available-

- (1) to any Federal, State, local, or territorial government entity, or other publicly controlled entity, including any Tribal government recognized by the Federal Government or a State government, that complies with the requirements for registration developed by the Director as described in subsection (c);
- (2) without conditioning registration on the sharing of any information with the Director or any other Federal entity, other than the information required to meet the requirements described in subsection (c); and
- (3) without conditioning registration on participation in any separate service offered by the Director or any other Federal entity.

### (c) Requirements

The Director, with the approval of the Director of the Office of Management and Budget for agency .gov internet domain requirements and in consultation with the Director of the Office of Management and Budget for .gov internet domain requirements for entities that are not agencies, shall establish and publish on a publicly available website requirements for the registration and operation of .gov internet domains sufficient to-

- (1) minimize the risk of .gov internet domains whose names could mislead or confuse users;
- (2) establish that .gov internet domains may not be used for commercial or political campaign purposes;
- (3) ensure that domains are registered and maintained only by authorized individuals; and
- (4) limit the sharing or use of any information obtained through the administration of the .gov internet domain with any other Department component or any other agency for any purpose other than the administration of the .gov internet domain, the services described in subsection (e), and the requirements for establishing a .gov inventory described in subsection (h).

### (d) Executive branch

#### (1) In general

The Director of the Office of Management and Budget shall establish applicable processes and guidelines for the registration and acceptable use of .gov internet domains by agencies.

#### (2) Approval required

The Director shall obtain the approval of the Director of the Office of Management and Budget before registering a .gov internet domain name for an agency.

#### (3) Compliance

Each agency shall ensure that any website or digital service of the agency that uses a .gov internet domain is in compliance with the 21st Century IDEA Act (44 U.S.C. 3501 note) and implementation guidance issued pursuant to that Act.

### (e) Supporting services

#### (1) In general

The Director may provide services to the entities described in subsection (b)(1) specifically intended to support the security, privacy, reliability, accessibility, and speed of registered .gov internet domains.

**(2) Rule of construction**

Nothing in paragraph (1) shall be construed to-

- (A) limit other authorities of the Director to provide services or technical assistance to an entity described in subsection (b)(1); or
- (B) establish new authority for services other than those the purpose of which expressly supports the operation of .gov internet domains and the needs of .gov internet domain registrants.

**(f) Fees****(1) In general**

The Director may provide any service relating to the availability of the .gov internet domain program, including .gov internet domain name registration services described in subsection (b) and supporting services described in subsection (e), to entities described in subsection (b)(1) with or without reimbursement, including variable pricing.

**(2) Limitation**

The total fees collected for new .gov internet domain registrants or annual renewals of .gov internet domains shall not exceed the direct operational expenses of improving, maintaining, and operating the .gov internet domain, .gov internet domain services, and .gov internet domain supporting services.

**(g) Consultation**

The Director shall consult with the Director of the Office of Management and Budget, the Administrator of General Services, other civilian Federal agencies as appropriate, and entities representing State, local, Tribal, or territorial governments in developing the strategic direction of the .gov internet domain and in establishing requirements under subsection (c), in particular on matters of privacy, accessibility, transparency, and technology modernization.

**(h) .gov inventory****(1) In general**

The Director shall, on a continuous basis-

- (A) inventory all hostnames and services in active use within the .gov internet domain; and
- (B) provide the data described in subparagraph (A) to domain registrants at no cost.

**(2) Requirements**

In carrying out paragraph (1)-

- (A) data may be collected through analysis of public and non-public sources, including commercial data sets;
- (B) the Director shall share with Federal and non-Federal domain registrants all unique hostnames and services discovered within the zone of their registered domain;
- (C) the Director shall share any data or information collected or used in the management of the .gov internet domain name registration services relating to Federal executive branch registrants with the Director of the Office of Management and Budget for the purpose of fulfilling the duties of the Director of the Office of Management and Budget under section 3553 of title 44;
- (D) the Director shall publish on a publicly available website discovered hostnames that describe publicly accessible agency websites, to the extent consistent with the security of Federal information systems but with the presumption of disclosure;
- (E) the Director may publish on a publicly available website any analysis conducted and data collected relating to compliance with Federal mandates and industry best practices, to the extent consistent with the security of Federal information systems but with the presumption of disclosure; and
- (F) the Director shall-
  - (i) collect information on the use of non-.gov internet domain suffixes by agencies for their official online services;
  - (ii) collect information on the use of non-.gov internet domain suffixes by State, local, Tribal, and territorial governments; and
  - (iii) publish the information collected under clause (i) on a publicly available website to the extent consistent with the security of the Federal information systems, but with the presumption of disclosure.

**(3) National security coordination****(A) In general**

In carrying out this subsection, the Director shall inventory, collect, and publish hostnames and services in a manner consistent with the protection of national security information.

**(B) Limitation**

The Director may not inventory, collect, or publish hostnames or services under this subsection if the Director, in coordination with other heads of agencies, as appropriate, determines that the collection or publication would-

- (i) disrupt a law enforcement investigation;
- (ii) endanger national security or intelligence activities;
- (iii) impede national defense activities or military operations; or
- (iv) hamper security remediation actions.

**(4) Strategy**

Not later than 180 days after December 27, 2020, the Director shall develop and submit to the Committee on Homeland Security and Governmental Affairs and the Committee on Rules and Administration of the Senate and the Committee on Homeland Security, the Committee on Oversight and Reform, and the Committee on House Administration of the House of Representatives a strategy to utilize the information collected under this subsection for countering malicious cyber activity.

(Pub. L. 107–296, title XXII, §2215, as added Pub. L. 116–260, div. U, title IX, §904(b)(1)(B), Dec. 27, 2020, 134 Stat. 2298 ; Pub. L. 117–81, div. A, title XV, §1547(b)(1)(A)(ii), (B), Dec. 27, 2021, 135 Stat. 2060 , 2061; Pub. L. 117–263, div. G, title LXXI, §7143(a)(1), Dec. 23, 2022, 136 Stat. 3654 .)

**EDITORIAL NOTES****REFERENCES IN TEXT**

The 21st Century IDEA Act, referred to in subsec. (d)(3), is Pub. L. 115–336, Dec. 20, 2018, 132 Stat. 5025 , also known as the 21st Century Integrated Digital Experience Act, which is set out as a note under section 3501 of Title 44, Public Printing and Documents.

**CODIFICATION**

Other sections 2215 of Pub. L. 107–296 were renumbered sections 2216, 2217, and 2218 and are classified, respectively, to sections 665b, 665c, and 665d of this title.

**AMENDMENTS**

**2022**-Pub. L. 117–263 made amendment identical to that made by Pub. L. 117–81, §1547(b)(1)(B). See 2021 Amendment note below.

**2021**-Pub. L. 117–81, §1547(b)(1)(B), made technical amendment to the directory language of section 904(b)(1) of Pub. L. 116–260.

Pub. L. 117–81, §1547(b)(1)(A)(ii), reenacted section catchline.

**STATUTORY NOTES AND RELATED SUBSIDIARIES****EFFECTIVE DATE OF 2022 AMENDMENT**

Amendment by Pub. L. 117–263 effective as if enacted as part of title IX of div. U of Pub. L. 116–260, see section 7143(a)(2) of Pub. L. 117–263, set out as a note under section 652 of this title.

**FINDINGS**

Pub. L. 116–260, div. U, title IX, §902, Dec. 27, 2020, 134 Stat. 2297 , provided that: "Congress finds that-

"(1) the .gov internet domain reflects the work of United States innovators in inventing the internet and the role that the Federal Government played in guiding the development and success of the early internet;

"(2) the .gov internet domain is a unique resource of the United States that reflects the history of innovation and global leadership of the United States;

"(3) when online public services and official communications from any level and branch of government use the .gov internet domain, they are easily recognized as official and difficult to impersonate;

"(4) the citizens of the United States deserve online public services that are safe, recognizable, and trustworthy;

"(5) the .gov internet domain should be available at no cost or a negligible cost to any Federal, State, local, or territorial government-operated or publicly controlled entity, including any Tribal government recognized by the Federal Government or a State government, for use in their official services, operations, and communications;

"(6) the .gov internet domain provides a critical service to those Federal, State, local, Tribal, and territorial governments; and

"(7) the .gov internet domain should be operated transparently and in the spirit of public accessibility, privacy, and security."

[For definition of "State" as used in section 902 of Pub. L. 116–260, set out above, see section 903 of Pub. L. 116–260, set out as a note below.]

**PURPOSE OF .GOV INTERNET DOMAIN PROGRAM**

Pub. L. 116–260, div. U, title IX, §904(a), Dec. 27, 2020, 134 Stat. 2298 , provided that: "The purpose of the .gov internet domain program is to-

- "(1) legitimize and enhance public trust in government entities and their online services;
- "(2) facilitate trusted electronic communication and connections to and from government entities;
- "(3) provide simple and secure registration of .gov internet domains;
- "(4) improve the security of the services hosted within these .gov internet domains, and of the .gov namespace in general; and
- "(5) enable the discoverability of government services to the public and to domain registrants."

[For definition of "online service" as used in section 904(a) of Pub. L. 116–260, set out above, see section 903 of Pub. L. 116–260, set out as a note below.]

## REFERENCE GUIDE

Pub. L. 116–260, div. U, title IX, §904(b)(2)(B), Dec. 27, 2020, 134 Stat. 2301 , provided that: "Not later than 1 year after the date of enactment of this Act [Dec. 27, 2020], the Director, in consultation with the Administrator and entities representing State, local, Tribal, or territorial governments, shall develop and publish on a publicly available website a reference guide for migrating online services to the .gov internet domain, which shall include-

- "(i) process and technical information on how to carry out a migration of common categories of online services, such as web and email services;
- "(ii) best practices for cybersecurity pertaining to registration and operation of a .gov internet domain; and
- "(iii) references to contract vehicles and other private sector resources vetted by the Director that may assist in performing the migration."

[For definitions of terms used in section 904(b)(2)(B) of Pub. L. 116–260, set out above, see section 903 of Pub. L. 116–260, set out as a note below.]

## TRANSITION

Pub. L. 116–260, div. U, title IX, §907, Dec. 27, 2020, 134 Stat. 2303 , provided that:

"(a) There shall be transferred to the Director the .gov internet domain program, as operated by the General Services Administration under title 41, Code of Federal Regulations, on the date on which the Director begins operational administration of the .gov internet domain program, in accordance with subsection (c).

"(b) Not later than 30 days after the date of enactment of this Act [probably means "this title", approved Dec. 27, 2020], the Director shall submit a plan for the operational and contractual transition of the .gov internet domain program to the Committee on Homeland Security and Governmental Affairs and the Committee on Rules and Administration of the Senate and the Committee on Homeland Security, the Committee on Oversight and Reform, and the Committee on House Administration of the House of Representatives.

"(c) Not later than 120 days after the date of enactment of this Act, the Director shall begin operationally administering the .gov internet domain program, and shall publish on a publicly available website the requirements for domain registrants as described in section 2215(b) of the Homeland Security Act of 2002 [6 U.S.C. 665(b)], as added by section 904(b) of this Act.

"(d) On the date on which the Director begins operational administration of the .gov internet domain program, in accordance with subsection (c), the Administrator shall rescind the requirements in part 102–173 of title 41, Code of Federal Regulations.

"(e) During the 5-year period beginning on the date of enactment of this Act [Dec. 27, 2020], any fee charged to entities that are not agencies for new .gov internet domain registrants or annual renewals of .gov internet domains shall be not more than the amount of the fee charged for such registration or renewal as of October 1, 2019."

[For definition of "Director" as used in section 907 of Pub. L. 116–260, set out above, see section 903 of Pub. L. 116–260, set out as a note below.]

## DEFINITIONS

Pub. L. 116–260, div. U, title IX, §903, Dec. 27, 2020, 134 Stat. 2298 , provided that: "In this Act [probably means "this title", see Short Title of 2020 Amendment note set out under section 101 of this title]-

- "(1) the term 'Administrator' means the Administrator of General Services;
- "(2) the term 'agency' has the meaning given the term in section 3502 of title 44, United States Code;
- "(3) the term 'Director' means the Director of the Cybersecurity and Infrastructure Security Agency;
- "(4) the term 'online service' means any internet-facing service, including a website, email, a virtual private network, or a custom application; and

"(5) the term 'State' means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and any possession of the United States."