



Written by [William F. Jasper](#) on September 30, 2016

Midnight Deadline: State AGs in Court to Stop Obama-UN Internet Transfer

Midnight tonight could mark the beginning of a sea change in the governance and control of — and access to — the Internet. Because Congress failed to act to block the Obama-United Nations scheme to transfer of a key part of the Internet architecture to an unaccountable global organization, a lawsuit by four states is the only thing now standing between the unfettered access to the Internet to which we have grown accustomed and the uncertainty and dangers of the new Obama-UN Internet regime. The transfer is scheduled to take place tomorrow, October 1.



Two days ago, on September 28, both houses of Congress adjourned for a six-week recess, until November 14, which is after Election Day. In a last-ditch effort to stop the planned transfer, the attorneys general of four states — Arizona, Texas, Oklahoma, and Nevada — are in Galveston Federal Court today, where they are asking Judge George Hanks to grant a temporary restraining order and preliminary injunction to block the imminent transfer and give the states sufficient time to sort out legal and constitutional issues, as well as provide protections to state government websites that could be at risk from the transfer.

On September 28, the four state attorneys general — Mark Brnovich for Arizona, Ken Paxton for Texas, Scott Pruitt for Oklahoma, and Adam Paul Laxalt for Nevada — filed a lawsuit to block the transfer. If the court refuses to grant their request, the Internet Corporation for Assigned Names and Numbers (ICANN), which currently manages domain names and assignment of internet service provider numbers under a contract with the U.S. Department of Commerce, will assume independent control over those key Internet functions.

In their [complaint](#) the four attorneys general say their states “seek declaratory and injunctive relief against the National Telecommunications and Information Administration (NTIA); the United States of America; the United States Department of Commerce; Penny Pritzker, in her official capacity as Secretary of Commerce; and Lawrence E. Strickling, in his official capacity as Assistant Secretary for Communications and Information and Administrator of NTIA.”

“The States each operate multiple websites, including those that use the .gov top-level domain name, to conduct their business and communicate with their citizens,” the suit says. “Examples of these government websites include [www.az.gov](#), [www.Texas.gov](#), [www.Oklahoma.gov](#), and [www.nv.gov](#). State agencies also maintain .gov websites, such as [www.azag.gov](#). These .gov websites are well-known, established sources of reliable and authoritative information for citizens, and private companies and persons are not allowed to use .gov addresses.”



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“Substituting unchecked ICANN oversight in place of NTIA’s current role also exposes Plaintiffs to possible interference in its property interests from foreign governments,” the four-state complaint continues. “ICANN’s transition proposal outlines a distinct role for governments outside the United States as voting participants in a Government Advisory Committee that may send advice directly to ICANN’s Board. This mechanism could result in foreign governments pressuring ICANN over policy matters that will directly affect the property interests of the Plaintiffs.”

[ICANN’s Board of Directors](#) is overseen by the [Government Advisory Committee \(GAC\)](#) that includes 111 member states, including many communist, “former” communist, Islamist, socialist, and authoritarian regimes notorious for currently censoring and policing the Internet and punishing netizens for politically incorrect and religious expression. GAC members include China, Russia, Iran, Turkey, Saudi Arabia, Cuba, Turkmenistan, Bulgaria, Venezuela, and other paragons of less-than-angelic virtue.

In a television [interview today with FOXBusiness](#) (see video below), Texas Attorney General Ken Paxton explained that “you have the potential of limiting free speech, you have the potential of losing addresses and your domain name, a whole state could lose their domain name, so we don’t know what could happen.”

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