



Electronic Frontier Foundation Media Release

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## **EFF Applauds House Stand Against Telecom Immunity** *Supports Provision Allowing Cases to Proceed Fairly and Securely*

San Francisco - Today the leadership of the House of Representatives circulated a draft surveillance bill rejecting the president's demand that Congress immunize telecoms that illegally participated in the NSA's warrantless wiretapping program.

Rather than granting immunity, the bill would respond to the phone companies' complaints that they cannot defend themselves by clarifying that they can present evidence about the wiretapping to the court under appropriate security procedures, even when the Executive Branch claims that such evidence is barred by the state secrets privilege.

"We applaud the House leadership for taking a courageous stand against the president and refusing to grant amnesty to lawbreaking telecoms. The House bill would represent a true compromise on the amnesty issue: customers whose privacy was violated would get their day in court, while the companies would be allowed to defend themselves despite the Administration's broad demands for secrecy," said EFF Senior Staff Attorney Kevin Bankston. "Immunity proponents have been claiming on the Hill for months that these companies had a good faith belief that the NSA program was legal. Under this bill, the companies could do what they should have been able to do all along: tell that story to a judge."

EFF represents the plaintiffs in *Hepting v. AT&T*, a class-action lawsuit brought by AT&T customers accusing the telecommunications company of violating their rights by illegally assisting the National Security Agency in widespread domestic surveillance. The *Hepting* case is the leading case aimed at holding telecoms responsible for knowingly violating federal privacy laws with warrantless wiretapping and the illegal transfer of vast amounts of personal data to the government.

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**Electronic Frontier Foundation**

Protecting Rights and Promoting Freedom on the Electronic Frontier

## About EFF

The Electronic Frontier Foundation is the leading civil liberties organization working to protect rights in the digital world. Founded in 1990, EFF actively encourages and challenges industry and government to support free expression and privacy online. EFF is a member-supported organization and maintains one of the most linked-to websites in the world at <http://www.eff.org/>

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