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January 17, 2017

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## High Court to Hear Appeal in 9/11 Case Seeking to Hold Former Federal Officials Personally Liable

*(Ziglar v. Abbasi, f/k/a Ashcroft v. Turkmen)*

**“The appeals court decision wrongly strips the Attorney General and FBI Director of the protection from tort claims to which qualified immunity entitles them. ... Qualified immunity protects all government officials from personal liability except those who are plainly incompetent or knowingly violate the law.”**

**—Richard Samp, WLF Chief Counsel**

WASHINGTON, DC—Tomorrow, January 18, 2017 at 11 a.m. ET, the U.S. Supreme Court will hear oral argument in *Ziglar v. Abbasi*. On behalf of four former U.S. Attorneys-General, Washington Legal Foundation filed an *amicus curiae* brief in the case urging the Court to overturn a U.S. Court of Appeals for the Second Circuit decision that would expose former federal officials—including former Attorney General John Ashcroft and former FBI Director Robert Mueller—to personal liability for tort claims seeking damages based on their official conduct responding to the 9/11 terrorist attacks.

WLF filed the only *amicus* brief in support of the petitioners, arguing that the qualified immunity doctrine protects government officials from lawsuits when, as here, no “clearly established” case law indicated that the officials’ alleged actions would violate the plaintiffs’ constitutional rights. WLF Chief Counsel Richard Samp will attend the argument and be available Wednesday afternoon to comment on the case and likely outcomes.

In advance of oral argument, WLF issued the following statement by Chief Counsel Richard Samp: “The appeals court decision wrongly strips the Attorney General and FBI Director of the protection from tort claims to which qualified immunity entitles them. Efforts to hold government officials personally liable for alleged official misconduct are highly disruptive and likely to impair the performance of their duties. Qualified immunity protects all government officials from personal liability except those who are plainly incompetent or knowingly violate the law.”

*WLF is the nation’s premier public-interest law firm and policy center that advocates for free-market principles, a limited and accountable government, individual and business civil liberties, and the rule of law.*

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