

FOR IMMEDIATE RELEASE  
December 7, 2006

**Statement by the Coalition to Preserve the Attorney-Client Privilege on Senator Arlen Specter's introduction of the Attorney-Client Privilege Protection Act of 2006:**

“We want to thank Chairman Specter for sponsoring legislation that would restore the balance that once existed between the legitimate needs of Justice Department prosecutors and the legal protections and rights guaranteed under the American system of justice to employees of companies and other organizations under investigation.

The attorney-client privilege and the work product doctrine in the corporate context have been significantly weakened in recent years, largely due to current Justice Department investigative policies and practices that put companies in the position of having to waive these fundamental legal protections during federal investigations in order to receive credit, during charging decisions, for having fully cooperated with the authorities. In addition, the Department's policy of pressuring companies not to pay their employees' legal fees during investigations, or to take other punitive actions against them long before any guilt has been established, has eroded employees' Constitutional and other legal rights.

The Department of Justice has refused to change these policies or even acknowledge the extent of the problem.

Chairman Specter's bill protects only valid assertions of attorney-client privilege and work product and preserves the ability of prosecutors and other law enforcement officials to seek information that they reasonably believe is not privileged or attorney work product. It also expressly allows organizations to make—and the government to accept—voluntary and unsolicited offers to share confidential information.”

**Coalition to Preserve the Attorney-Client Privilege**

American Chemistry Council  
American Civil Liberties Union  
Association of Corporate Counsel  
Business Civil Liberties, Inc.  
Business Roundtable  
The Financial Services Roundtable  
National Association of Criminal Defense Lawyers  
National Association of Manufacturers  
U.S. Chamber of Commerce

The American Bar Association does not formally join coalitions but works closely with the Coalition and joins in support of Chairman Specter's legislation.