

The background is a dark, textured blue-black. On the left side, there are several white geometric elements: a horizontal line, a circle, and a series of connected line segments with dots at the ends, resembling a circuit or network diagram. The main title is in large, bold, white sans-serif font.

The EFF: Defending Digital Rights Since 1990

A Journey Through Three
Decades of Digital Civil Liberties

The Birth of EFF: From a Raid to a Revolution

- March 1990: Steve Jackson Games raid
- John Perry Barlow, Mitch Kapor, and John Gilmore's meeting
- July 1990: EFF officially founded - Initial funding: \$1 million from Kapor

The EFF's origin story begins with a case of mistaken identity

- In March 1990, the Secret Service raided Steve Jackson Games, a small gaming company in Austin, Texas. They were looking for evidence of hacking, but what they found was a role-playing game manual. The agents couldn't tell the difference between a game about fictional hacking and actual criminal activity.
- This raid caught the attention of John Perry Barlow – yes, the Grateful Dead lyricist turned cyberspace philosopher – who had his own run-in with the FBI over alleged stolen source code that turned out to be nothing.
- Barlow connected with Mitch Kapor, founder of Lotus 1-2-3, and together with John Gilmore (Sun Microsystems employee #5), they realized the government didn't understand this new digital frontier.
- In July 1990, over drinks and big ideas, they founded the EFF. Kapor kicked in the first million dollars, because apparently that's what tech founders do when they're worried about civil liberties.

References: - Bruce Sterling, "The Hacker Crackdown" (1992) - John Perry Barlow, "Crime and Puzzlement" (1990) - Steve Jackson Games v. United States Secret Service case files

The Early Years: Victories and Organizing

- Steve Jackson Games case victory (1993)
- Bernstein v. United States (1995)
- Moving from Cambridge to San Francisco (1995)
- First website launched (1994)

Like any startup, the EFF's early years were about figuring out what they were and what battles to pick.

- Their first major victory came in 1993 when they helped Steve Jackson Games win their lawsuit against the Secret Service. The court ruled that the raid was unjustified and awarded \$50,000 in damages. More importantly, it established that electronic communications deserved the same Fourth Amendment protections as paper mail.
- In 1995, they took on the U.S. government's encryption export controls in *Bernstein v. United States*. Daniel Bernstein, a mathematician, wanted to publish his encryption algorithm online but was told it was classified as a munition. The EFF argued, successfully, that code is speech.
- That same year, they moved from Cambridge to San Francisco, because where else would digital rights defenders want to be in the mid-90s?
- They launched their first website in 1994, which probably looked terrible by today's standards but was cutting-edge for its time.

References: - *Steve Jackson Games, Inc. v. United States Secret Service*, 816 F. Supp. 432 (W.D. Tex. 1993) - *Bernstein v. United States*, 922 F. Supp. 1426 (N.D. Cal. 1996) - EFF Archives: <https://www.eff.org/about/history/1990s>

EFF's Hall of Fame: Battles Won and Wars Ongoing

- Free the Law victory (2023) after decades of litigation
- California Consumer Privacy Act (2018) and Delete Act (2023)
- NSA surveillance challenges (2006-present)
- SOPA/PIPA defeat (2012)
- Net neutrality advocacy
- Patent reform and the Patent Busting Project

If the EFF were a band, these would be their platinum records.

- Their longest-running victory came in 2023 with “Free the Law” – after years of litigation, they ensured that laws, regulations, and building codes can be accessed online without copyright restrictions. Imagine if you needed to pay to read the law!
- They’ve shaped privacy legislation in California, which often sets the bar nationally. The California Consumer Privacy Act (2018) gave users control over their data, and the California Delete Act (2023) will make it easier to have your information removed from data brokers when it takes effect in 2026.
- In 2006, they filed *Hepting v. AT&T*, challenging the NSA’s warrantless wiretapping program. While they didn’t win the case due to state secrets privilege, they brought massive public attention to government surveillance – years before Snowden.
- Remember SOPA and PIPA? Those were the 2012 bills that would have basically broken the internet as we know it. The EFF helped coordinate the internet blackout protest that saw Wikipedia, Reddit, and thousands of other sites go dark. Congress got over 8 million contacts that day. The bills died almost immediately under that level of public pressure .
- They’ve been on the frontlines of the net neutrality battle, fighting to keep ISPs from creating internet fast lanes for those who can pay.
- Their Patent Busting Project has challenged bogus software patents that stifle innovation. They’ve taken on patents for “interactive web” and “online shopping carts” – yes, someone tried to patent the shopping cart.
- These victories don’t come overnight – the “Free the Law” case took over a decade. But persistence is part of their DNA.

References: - PublicResource.org v. ISO victory:

<https://www.eff.org/deeplinks/2023/free-the-law> - California Consumer Privacy Act:

<https://www.eff.org/issues/consumer-privacy> - Hepting v. AT&T, 439 F. Supp. 2d 974

(N.D. Cal. 2006) - SOPA/PIPA Blackout Archive: [https://www.eff.org/issues/coica-](https://www.eff.org/issues/coica)

internet-censorship-and-copyright-bill - Patent Busting Project:

<https://www.eff.org/patent-busting>

The Faces Behind the Firewall

Founders

John Perry Barlow
Mitch Kapor
John Gilmore

Long-time Executive Director

Cindy Cohn

Legal Director

Corynne McSherry

Technologists

Peter Eckersley
Eva Galperin

Notable Board Members and Advisors

Cory Doctorow (Special Advisor)
Brewster Kahle (Internet Archive)
Bruce Schneier (Security Expert)
Shari Steele (Former Executive Director)

Every movement needs its heroes, and the EFF has attracted some of the brightest minds in tech and law. We've already met the founders, but let's talk about other prominent people who've carried the torch.

- Cindy Cohn joined as legal director in 2000 and became Executive Director in 2015. She's argued cases before the Supreme Court and is a true master of internet law.
- Corynne McSherry, the current Legal Director, has been fighting copyright trolls and defending fair use since 2001.
- Peter Eckersley led the development of HTTPS Everywhere and Let's Encrypt, making the web more secure for everyone. He tragically passed away in 2022, but his legacy lives on in the countless websites and services that are more secure because he made HTTPS easier to implement and manage.
- Eva Galperin heads their Threat Lab and has exposed government spyware used against journalists and activists worldwide. She's like the Sherlock Holmes of digital surveillance.
- The board and advisors read like a who's who of digital rights champions:
- Cory Doctorow serves as Special Advisor and is probably the most prolific explainer of tech policy issues in plain English. His science fiction novels predict our possible digital dystopias, and through his personal blog Pluralistic, he's been documenting the intersection of technology and civil liberties for years. His most recent major claim to fame is coining the term "enshittification", describing how platforms decay.

- Brewster Kahle, founder of the Internet Archive, serves on the board. He's literally trying to back up the entire internet because he knows how fragile digital history can be.
- Bruce Schneier, the internationally renowned security technologist and author, brings deep expertise on cryptography and security. When he says something is secure or insecure, the tech world listens.
- Shari Steele, who served as Executive Director from 2000-2015, transformed the EFF from a small nonprofit into the digital rights powerhouse it is today. She now runs the Tor Project.
- Other notable board members have included Esther Dyson (early internet investor and visionary), Lawrence Lessig (Creative Commons founder, copyright reform advocate, and former board member), and Pamela Samuelson (Berkeley law professor and intellectual property expert).
- This brain trust brings together legal minds, technologists, academics, and activists – all united in the belief that technology should enhance freedom, not restrict it.

References: - EFF Staff Directory: <https://www.eff.org/about/staff> - "John Perry Barlow: A Declaration of the Independence of Cyberspace" (1996) - Peter Eckersley Memorial: <https://www.eff.org/deeplinks/2022/09/peter-eckersley>

From Courtrooms to Congress: EFF's Legislative Impact

- Communications Decency Act
Section 230 defense
- DMCA reform efforts
- FISA court challenges
- Privacy legislation advocacy
- Opposing EARN IT Act

The EFF doesn't just sue people (though they're really good at that). They also work to shape legislation before it becomes law.

- They've been fierce defenders of Section 230 of the Communications Decency Act – that's the law that says platforms aren't liable for user content. Without it, there would be no Facebook, Twitter, Reddit, or basically any site with user comments.
- Here's why Section 230 is actually brilliant, despite what you might hear from both Big Tech critics and Congress lately: It's not a gift to tech giants – it's what allows small sites, forums, and startup platforms to exist. Without it, only companies with armies of lawyers could afford to host user content. Imagine if every website owner could be sued for any comment posted by users. Your local news site would shut down its comment section, community forums would disappear, and only the biggest companies could afford the legal risk.
- Recent pushes to repeal or limit Section 230 come from both sides of the aisle but for different reasons. Some want platforms to remove more content (hate speech, misinformation), others want them to remove less (claims of anti-conservative bias). The irony is that weakening 230 would likely lead to MORE censorship, not less, as platforms would over-moderate to avoid lawsuits.
- Big Tech companies like Meta and Google can actually afford to lose Section 230 – they have the resources to moderate at scale and fight lawsuits. It's the smaller competitors and nonprofit platforms that would be crushed. So when Big Tech executives say they're "open to 230 reform," they're essentially pulling up the ladder behind them.
- The EFF's position is nuanced: Section 230 isn't perfect, but it's the foundation of

the open internet. Reform discussions should focus on platform transparency and user empowerment, not undermining the legal framework that makes user-generated content possible.

- They've fought for DMCA reform because the current law lets companies abuse takedown notices. Ever had a video removed for using 5 seconds of a song? Thank DMCA abuse.
- They've challenged secret FISA courts and pushed for transparency in government surveillance requests.
- Currently, they're opposing the EARN IT Act, which sounds nice (who doesn't want to protect children?) but would actually break encryption and make everyone less safe online.
- Their legislative team regularly submits amicus briefs, testifies before Congress, and makes for some of the better content on C-SPAN.

References: - EFF's Section 230 Archive: <https://www.eff.org/issues/cda230> - DMCA Takedown Hall of Shame: <https://www.eff.org/takedowns> - EFF Congressional Testimony Archive

You Bought It, You Should Own It: The Right to Repair Fight

- Fighting DMCA Section 1201
- Supporting state right to repair bills
- Opposing John Deere's tractor lockdowns
- Medical device repair advocacy
- Electronics recycling and sustainability

Remember when you could actually fix your own stuff? The EFF does, and they want to bring those days back.

- Section 1201 of the DMCA makes it illegal to circumvent “technological protection measures” – even on devices you own. This means farmers can’t repair their own tractors, and you can’t fix your own phone. Apple’s “Activation Lock” for example purports to be a theft deterrent, but in practice it likely does more to deter repair of salvageable devices.
- The EFF has supported right to repair legislation in over 20 states. These bills would require manufacturers to provide parts, tools, and documentation to consumers and independent repair shops.
- They’ve particularly focused on John Deere’s tractor software locks, which force farmers to use only authorized dealers for repairs. Imagine not being able to change your car’s oil without going to the dealership.
- During COVID-19, they highlighted how repair restrictions on medical devices put lives at risk when hospitals couldn’t fix ventilators quickly.
- They argue that repair rights are also environmental rights – if we can fix things, we throw away less electronic waste.

References: - EFF Right to Repair Page: <https://www.eff.org/issues/right-to-repair> - “How to Save Your Right to Repair Devices in 2021” - EFF Guide - Medical Device Repair Rights During COVID-19 Report

Privacy in the Digital Age: EFF's Ongoing Battle

- Privacy Badger browser extension
- Surveillance Self-Defense guides
- Cell phone location tracking cases
- Face recognition bans
- Border device searches
- COVID-19 contact tracing concerns

If data is the new oil, then the EFF is basically running an environmental protection agency for your personal information.

- They created Privacy Badger, a browser extension that blocks invisible trackers. It's like having a bodyguard for your browsing.
- Their Surveillance Self-Defense project provides guides for everyone from journalists to protesters on how to protect their communications. It's basically a how-to manual for digital privacy.
- They've challenged warrantless cell phone location tracking, arguing that the government needs a warrant to track where you've been through your phone.
- They've pushed for bans on face recognition technology by law enforcement, successfully getting ordinances passed in San Francisco, Boston, and other cities.
- At border crossings, they've fought against suspicionless device searches, because your laptop shouldn't be fair game just because you went on vacation.
- During the pandemic, they provided guidance on COVID-19 contact tracing apps, ensuring health measures didn't become permanent surveillance infrastructure.

References: - Privacy Badger: <https://privacybadger.org/> - Surveillance Self-Defense: <https://ssd.eff.org/> - Carpenter v. United States, 138 S. Ct. 2206 (2018) - Face Surveillance Ban Ordinances Archive

Fighting Tomorrow's Battles Today

- Privacy First initiative and whitepaper
- AI and algorithmic justice
- Encryption defense against backdoors
- Free the law campaign victory
- Border surveillance and digital privacy
- Right to repair legislation
- Work-from-home privacy

The EFF isn't resting on their laurels – they're tackling the emerging challenges of our increasingly digital world.

- 2023 was declared the year of "Privacy First" with a groundbreaking whitepaper on reimagining how technology can center users' rights. They're advocating for business models that don't depend on invasive data collection.
- After literally decades of litigation, they finally won the "Free the Law" fight, ensuring that laws, regulations, and building codes can be freely accessed online without copyright restrictions. [PublicResource.org](https://publicresource.org) can now share these essential documents without fear of lawsuits.
- They're working on AI accountability, pushing for transparency in algorithmic decision-making. When an AI denies your loan or flags your social media post, they want you to know why.
- The crypto wars never ended – they're still fighting against government backdoors in encryption. They argue that you can't build a door that only good guys can use.
- They've identified over 400 border surveillance towers and are mapping the creeping surveillance infrastructure at our borders through their Atlas of Surveillance project.
- With remote work now permanent for many, they're developing frameworks for work-from-home privacy rights. Your boss shouldn't be able to spy on you just because your office is now your kitchen.
- By the numbers: They're averaging 78 press mentions per day, have hundreds of thousands of active Privacy Badger users worldwide, and their podcast had 394,000 downloads. They have members in 88 countries because digital rights are

global rights.

References: - EFF 2023 Annual Report: <https://annualreport.eff.org/> - Privacy First
Whitepaper: <https://www.eff.org/privacy-first> - PublicResource.org victory:
<https://www.eff.org/deeplinks/2023/free-the-law> - Atlas of Surveillance:
<https://atlasofsurveillance.org/>

Stronger Together: The Electronic Frontier Alliance

- Launched in 2016
- 100+ member organizations across the US
- Grassroots network for digital rights
- Resource sharing and coordination
- Annual conference and regular calls

The EFF realized early on that they couldn't fight every battle alone, especially at the local level. Enter the Electronic Frontier Alliance – think of it as the digital rights equivalent of the Avengers Initiative.

- Launched in 2016, the Alliance is a grassroots network of community and student organizations working to protect digital rights at the local and state level.
- Currently, over 100 organizations across the United States are members, from tech policy groups to libraries, from student organizations to community makerspaces.
- Member organizations include groups like the Chicago Digital Access Alliance, the Boston Privacy Coalition, RestoreThe4th chapters, various library systems, and university student groups. These aren't just tech organizations – they're community groups who understand that digital rights are human rights.
- What do they do? They organize local campaigns against surveillance tech, advocate for municipal broadband, fight facial recognition in their communities, run digital security trainings, and push for state-level privacy laws.
- Why join? Members get access to EFF's expertise, toolkits, and resources. They can participate in coordinated national campaigns while maintaining their local focus. It's like having the EFF's brain trust on speed dial.
- Requirements are refreshingly simple: organizations need to be U.S.-based nonprofits, libraries, or student groups committed to digital rights. They need to support the EFF's mission and commit to being active in their communities. There's no membership fee – the EFF provides resources freely.
- The Alliance holds an annual member conference (virtual since COVID) and regular strategy calls. They share victories, tactics, and sometimes commiserate

over defeats – all while building a national movement one community at a time.

- This distributed model is brilliant because digital rights issues often manifest locally
 - that facial recognition system your city wants to buy, the surveillance partnership your police department is considering, or the broadband monopoly keeping your community offline.

References: - Electronic Frontier Alliance: <https://www.eff.org/electronic-frontier-alliance> - Alliance Member Directory: <https://www.eff.org/electronic-frontier-alliance/allies> - Alliance Resources and Toolkits: <https://www.eff.org/electronic-frontier-alliance/resources>

The Future Needs the EFF (And So Do You)

- 33 years of digital rights defense
- Over 30,000 members in 88 countries
- 100+ staff of lawyers, activists, and technologists
- Member-supported independence
- How to get involved - "The price of freedom is eternal vigilance"

So why should you care about an organization that fights legal battles in digital space?

- Because every time you send a secure message, post an opinion online, fix your own device, or browse privately, you're benefiting from rights the EFF helped establish and defend. Rights that are under constant threat.
- They've been doing this for over 30 years, adapting from dial-up modems to AI, from bulletin boards to social media, always staying true to their core mission: ensuring that technology supports freedom, justice, and innovation.
- With over 30,000 members worldwide and a staff of more than 100 lawyers, activists, and technologists, they have the expertise and reach to fight battles from local city councils to the Supreme Court.
- They're member-supported, which means they can bite the hand that feeds the tech industry when necessary. No corporate strings attached.
- You can support them by becoming a member, using their tools like Privacy Badger, following their action alerts, or just spreading awareness about digital rights.
- In the words of Thomas Jefferson (who the EFF loves to quote): "The price of freedom is eternal vigilance." In the digital age, the EFF is our vigilant guardian.
- Thank you for joining me on this journey through digital history. Now go forth and compute freely!

References: - EFF Membership: <https://www.eff.org/join> - John Perry Barlow, "A Declaration of the Independence of Cyberspace" (1996) - EFF 2023 Annual Report: <https://annualreport.eff.org/>



THANK YOU!