Updated October 13, 2026 | HAIL status checked September 27, 2026

The HAIL Act: H.R. 10263

Halt Abusive Internet Lawsuits

Sponsor: Rep. Russ Fulcher
Status: Introduced September 3; referred to House Judiciary. Not enacted.

The practical problem

Businesses use analytics to understand visits and separate tools to receive appointments. Some website data transfers face claims under the California Invasion of Privacy Act (CIPA) and related laws. Responding can require money and attention before the legal questions are resolved. A familiar tool is not automatically lawful or unlawful.

The cost starts before the case is decided

Loeb & Loeb attorney Christopher Ott gives privacy-class-action benchmarks of **$50,000-$150,000 for a motion to dismiss** and **$250,000-$400,000 for class-certification briefing**. These are the author's stage-specific estimates, not a typical total for every lawsuit. Cost guide, May 22, 2026. Owner-reported spending and settlement amounts are separate categories; see the business accounts in the supporting packet.

What HAIL would change

The proposal bars covered federal and state wiretapping, pen-register, trap-and-trace and eavesdropping claims and enforcement for commercial-purpose information practices. It also reaches covered pending proceedings. Read the introduced text, section 2.

Its reach and the privacy question

The rule is broader than small businesses, basic analytics or claims without harm. It contains **no express actual-harm exception** for covered claims and creates no replacement remedy. Other legal routes depend on their own requirements and the bill's application.

Why this project supports it

Businesses need rules before a dispute, not an expensive case to find out what applies. We support a federal response across technologies and states. Our goal is to Halt Abusive Internet Lawsuits while keeping businesses accountable for their use of personal information.

How California SB 690 differs

Signed September 30, 2026; effective January 1, 2027. SB 690 reserves covered website/app pen-register civil claims to the Attorney General. Other CIPA claims remain available, including in the same lawsuit. Official California text | Status.

SB 690 checked October 13; HAIL status checked September 27, 2026. LiveRamp funds, operates and publishes this project on behalf of the coalition. Current explanation and sources.