

FOR RELEASE

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Contact: John Tran, EPIC FOIA Counsel

tran@epic.org | 202-483-1140, x123

@tjohntran | @EPICprivacy

EPIC Seeks Information About Government Program to Monitor Boaters,
Privacy Center Files Open Government Lawsuit Against
Coast Guard, Homeland Security

WASHINGTON, DC – The Electronic Privacy Information Center (EPIC) has filed a Freedom of Information Act lawsuit against the U.S. Coast Guard and the Department of Homeland Security for information about a government program to track and record the location of boaters.

EPIC said the “program exceeds the stated purpose of marine safety and constitutes an ongoing risk to the privacy and civil liberties of boaters across the United States.”

“We respect the important work of the Coast Guard and also understand the value of AIS for collision avoidance, but the program goes far beyond marine safety,” said Marc Rotenberg, the President of EPIC.

The Department of Homeland Security is planning to transfer detailed location data on boaters to other federal agencies, to state agencies, and to foreign governments.

The Nationwide Automatic Identification System (NAIS) is a “system to collect, integrate, and analyze information concerning vessels operating on or bound for waters subject United States jurisdiction.”

NAIS was established by the Department of Homeland Security after 9-11, but has raised substantial concerns in the boating community.

BoatU.S., the nation’s largest organization of recreational boaters, said that the NAIS program “raises an array of confidentiality concerns with regard to the recreational boating public” and pointed out that few boaters would be aware that their boat location information would be made available to parties other than boaters and the Coast Guard.

“The collection and disclosure of personal information by a federal agency raises significant questions about compliance with federal privacy law,” Mr. Rotenberg explained. “The Coast Guard failed to fulfill its obligations under the federal Privacy Act and also never undertook a required Privacy Impact Assessment. It is for these reasons that EPIC is now in court seeking information about the NAIS program.”

BoatU.S. also noted, “Recreational boating is an extremely popular outdoor family activity in this country, with an estimated 12 million registered boats in the United States and 70 million participants in a year. “

Ralph Naranjo, a widely regarded mariner, author, and former Vanderstar Chair at the U.S. Naval Academy, expressed dismay that “a sailor’s Good Samaritan effort to share location data will automatically enroll them in a data bank that tracks all of their movements.”

The case is EPIC v. United States Coast Guard and the Department of Homeland Security, No. 15-cv-01527, filed September 18, 2015, in the United States District Court for the District of Columbia. The attorneys are Marc Rotenberg, EPIC President; Alan Butler, EPIC Senior Counsel; and T. John Tran, EPIC FOIA Counsel.

The Electronic Privacy Information Center (EPIC) is a public interest research organization, established in 1994 to focus public attention on emerging privacy and civil liberties issues. EPIC has pursued many successful Freedom of Information Act lawsuits against federal agencies. More information about EPIC is available at www.epic.org.

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