



PRESS RELEASE

EPIC v. FBI:

**A Freedom of Information Act Lawsuit
to Determine the FBI's Response to
Russian Interference with the 2016 Presidential Election**

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WASHINGTON, DC – Today the Electronic Privacy Information Center (EPIC) announced the filing of a Freedom of Information Act (FOIA) lawsuit against the FBI concerning the agency's response to the Russian interference with the 2016 Presidential election. The lawsuit was filed in federal district court in Washington, DC and is captioned *EPIC v. FBI*, No. 17-127.

“EPIC has filed this lawsuit to determine the FBI's response to knowledge of the Russian interference with the 2016 Presidential Election,” said Marc Rotenberg, President of the Electronic Privacy Information Center, a non-partisan organization established in 1994.

“The Congress is in the midst of a critical debate about Russia and the 2016 Presidential Election. But very little information has been provided to the public and very little is known about how the FBI protected US democratic institutions against foreign attack. That is why the FBI should provide this information to EPIC and the public as expeditiously as possible,” said Mr. Rotenberg.

According to the EPIC complaint: “[T]here is a profound and urgent public interest in the release of the FBI records sought by EPIC, concerning the Russian interference with the 2016 Presidential Election. The release of these records is necessary for the public to evaluate the FBI response to the Russian interference, assess threats to American democratic institutions, and to ensure the accountability of the federal agency with the legal authority to safeguard the American people against foreign cyber attacks.”

EPIC Senior Counsel Alan Butler explained the basis of the legal action. “The EPIC lawsuit follows from an expedited Freedom of Information Act request that EPIC filed with the agency in mid-December. The Bureau ignored EPIC’s request, in violation of the federal law that protects open government in the United States. EPIC has filed this lawsuit to enforce its rights to obtain access to the information it is seeking.”

“The reason that EPIC filed the lawsuit against the FBI is that the Bureau is the lead agency, under federal law, for protecting domestic institutions against foreign cyber attack,” said Mr. Butler.

EPIC manages one of the most extensive open government litigation programs in the United States. EPIC initiated the FOIA litigation concerning the legal justification for the warrantless wiretapping program. Over the years, EPIC has prevailed in FOIA cases against many federal agencies, including the FBI. EPIC also obtained public release of the NSA’s domestic cyber security authority following a successful FOIA lawsuit. *EPIC v. NSA*, 988 F.Supp.2d 1 (D.D.C. 2013).

About EPIC

EPIC is a non-partisan organization, established in 1994, to focus public attention on emerging privacy and civil liberties issues. The EPIC Advisory Board includes distinguished experts in law, technology, public policy, and cyber security.

Links

Electronic Privacy Information Center (EPIC)

epic.org

EPIC FOIA Cases

epic.org/foia/

EPIC v. FBI, No. 17-127 (D.D.C. filed Jan. 18, 2017)

epic.org/foia/fbi/russian-hacking/EPIC-FBI-Complaint-01182017.pdf

EPIC Media Advisory, *EPIC v. FBI* (Jan. 18, 2017)

epic.org/press/EPIC-v-FBI-Media-Advisory-Jan2017.pdf

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