

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

_____	)	
ELECTRONIC PRIVACY	)	
INFORMATION CENTER	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 1:14-cv-01217-RBW
	)	
U.S. CUSTOMS AND BORDER PROTECTION	)	
	)	
	)	
Defendant.	)	
_____	)	

**PLAINTIFF’S STATEMENT OF MATERIAL FACTS NOT IN DISPUTE AND  
RESPONSE TO DEFENDANT’S STATEMENT OF FACTS NOT IN DISPUTE**

Pursuant to Local Civil Rule 7(h) of the Rules of the United States District Court for the District of Columbia, Plaintiff Electronic Privacy Information Center (“EPIC”) hereby submits the following statement of material facts as to which EPIC contends there is no genuine issue in connection with the cross-motion for partial summary judgment, and EPIC’s response to Defendant’s statement of material facts.

1. EPIC agrees that the matters set forth in ¶¶ 1, 3–5 of defendant’s statement of material facts are not in dispute.
2. EPIC submits that the matters set forth in ¶ 2 is not supported by the record to the extent they refer to facts beyond what Ms. Sabrina Burroughs determined in her Declaration.
3. EPIC disputes the matters set forth in ¶ 6 which, to the extent they refer to the release of reasonable segregable material and withholdings under Exemption 7(E), are legal conclusions unsupported by the Declaration of Sabrina Burroughs.

4. The Analytical Framework for Intelligence (“AFI”) is not used for law enforcement investigations or prosecutions.

5. AFI is used to profile United States citizens.

Dated: June 29, 2015

Respectfully submitted,

MARC ROTENBERG  
EPIC President

ALAN JAY BUTLER  
Senior Counsel

/s/ Khaliah N. Barnes

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