

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

CITIZENS FOR RESPONSIBILITY  
AND ETHICS IN WASHINGTON,

*Plaintiff,*

v.

UNITED STATES DEPARTMENT  
OF THE TREASURY,

*Defendant.*

Civil Action No. 21-1359 (JEB)

**ANSWER**

Defendant, the United States Department of the Treasury, by undersigned counsel, respectfully submits this answer to the complaint filed by Plaintiff Citizens for Responsibility and Ethics in Washington.

**Affirmative Defenses**

1. The complaint fails to state a claim upon which relief can be granted.
2. Plaintiff is not entitled to compel production of records exempt from disclosure by one or more exemptions to the Freedom of Information Act (“FOIA”), 5 U.S.C. § 552.
3. Certain information responsive to the FOIA request is not in the possession of the Treasury.
4. The Court lacks subject-matter jurisdiction to award relief that exceeds that authorized by FOIA.
5. Plaintiff’s FOIA request does not reasonably describe the records sought.
6. Plaintiff’s FOIA request would impose an unreasonable burden.

### Responses to the Numbered Paragraphs

Defendant denies all the allegations in the complaint, including the relief sought, except to the extent specifically admitted herein. Defendant admits, denies, or otherwise responds to the paragraphs in the complaint as follows

1. Defendant admits that Plaintiff purports to bring a FOIA action against Defendant. Defendant refers to the FOIA request for a complete and accurate statement of its content and denies any allegations inconsistent therewith.

2. Defendant admits that Plaintiff seeks declaratory and injunctive relief. Defendant denies that Plaintiff is entitled to such relief.

3. Defendant admits that this Court has jurisdiction to hear a claim under FOIA.

4. Defendant admits that venue is proper.

5. Defendant lacks knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph.

6. Defendant admits the first sentence of this paragraph. Defendant denies, in part, the second sentence, and lacks sufficient information to determine the extent of what responsive records, if any, may be in Treasury's possession, custody, and control.

7. Defendant refers to the *Washington Post* article for a complete and accurate statement of its content and denies any allegations inconsistent therewith.

8. Defendant admits that former Secretary Mnuchin traveled to the Middle East in the course of his official duties.

9. Denied.

10. Defendant lacks knowledge or information sufficient to form a belief as to the reason why Plaintiff submitted a FOIA request to Treasury. The remaining allegations in this

paragraph characterize the FOIA request that Plaintiff submitted; Defendant refers to the FOIA request for a complete and accurate statement of its content and denies any allegations inconsistent therewith.

11. Admitted.

12. Defendant refers to the letter for a complete and accurate statement of its content and denies any allegations inconsistent therewith.

13. Admitted.

14. Defendant repeats its responses in the preceding paragraphs.

15. Denied.

16. Defendant denies that it will not conduct an adequate search.

17. Denied.

18. Denied.

19. Defendant denies that Plaintiff sought any administrative remedies.

20. Denied.

The remainder of the complaint contains Plaintiff's request for relief. Defendant denies that Plaintiff is entitled to the requested relief.

Dated: June 28, 2021  
Washington, D.C.

Respectfully submitted,

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Acting United States Attorney

BRIAN P. HUDAK  
Acting Chief, Civil Division

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