

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

CITIZENS FOR RESPONSIBILITY
AND ETHICS IN WASHINGTON,

Plaintiff,

v.

U.S. DEPARTMENT OF JUSTICE,

Defendant.

Case No. 1:22-cv-00254-DLF

ANSWER

Defendant U.S. Department of Justice responds to the allegations in the Freedom of Information Act (FOIA) complaint filed by Plaintiff Citizens for Responsibility and Ethics in Washington (CREW). *See* ECF No. 1. Defendant generally denies Plaintiff's allegations, except as specifically admitted below. *See* Fed. R. Civ. P. 8(b)(3).

1. Paragraph 1 consists of Plaintiff's characterization of its complaint, to which no response is required. Defendant respectfully refers the Court to Plaintiff's complaint for its complete and accurate content.

2. Paragraph 2 consists of Plaintiff's characterization of its complaint, to which no response is required. Defendant respectfully refers the Court to Plaintiff's complaint for its complete and accurate content.

3. Paragraph 3 consists of legal conclusions to which no response is required.

4. Paragraph 4 consists of legal conclusions to which no response is required.

5. Defendant lacks knowledge or information sufficient to admit or deny the allegations in this paragraph.

6. Paragraph 6 consists of legal conclusions to which no response is required.

7. Paragraph 7 consists of legal conclusions to which no response is required.
8. Paragraph 8 consists of legal conclusions to which no response is required.
9. Paragraph 9 consists of legal conclusions to which no response is required.
10. Paragraph 10 consists of legal conclusions to which no response is required.
11. Paragraph 11 cites a news report; Defendant respectfully refers the Court to that document for its complete and accurate content.
12. Paragraph 12 cites a news report; Defendant respectfully refers the Court to that document for its complete and accurate content.
13. Paragraph 13 cites a news report; Defendant respectfully refers the Court to that document for its complete and accurate content.
14. Admit that Commerce Department Inspector Peggy Gustafson sent a letter to Congress on July 15, 2021. Defendant respectfully refers the Court to that document for its complete and accurate content. Paragraph 14 also cites a news report; Defendant respectfully refers the Court to that document for its complete and accurate content.
15. Paragraph 15 cites a news report; Defendant respectfully refers the Court to that document for its complete and accurate content.
16. Deny.
17. Admit that on July 23, 2021, Plaintiff submitted a FOIA request containing the quoted language.
18. Admit that Plaintiff's FOIA request sought a fee waiver.
19. Admit.
20. Admit that as of the date of the complaint, a final determination had not yet been made on Plaintiff's FOIA request.
21. Defendant incorporates by reference its responses to the preceding paragraphs.
22. Paragraph 22 consists of legal conclusions to which no response is required.
23. Paragraph 23 consists of legal conclusions to which no response is required.
24. Paragraph 24 consists of legal conclusions to which no response is required.

25. Paragraph 25 consists of legal conclusions to which no response is required.
26. Paragraph 26 consists of legal conclusions to which no response is required.
27. Paragraph 27 consists of legal conclusions to which no response is required.

The remaining allegations in the complaint constitute a prayer for relief to which no response is required. To the extent a response is required, Defendant denies that Plaintiff is entitled to the requested relief, or to any relief whatsoever.

DEFENSES

1. Defendant's actions or inactions did not violate the FOIA or any other statutory or regulatory provision.
2. Plaintiff is not entitled to compel production of records exempt from disclosure by one or more exemptions enumerated in the FOIA.

DATED: March 14, 2022

Respectfully submitted,

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Principal Deputy Assistant Attorney General

ELIZABETH J. SHAPIRO
Deputy Director, Federal Programs Branch

/s/ Stephen Ehrlich
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