

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

CITIZENS FOR RESPONSIBILITY
AND ETHICS IN WASHINGTON,

Plaintiff,

v.

U.S. DEPARTMENT OF STATE,

Defendant.

Case No. 1:20-cv-2076-DLF

ANSWER

Defendant United States Department of State (“Defendant”), by and through its undersigned counsel, hereby answers the Complaint of Citizens for Responsibility and Ethics in Washington (“Plaintiff”), as follows:

1. This paragraph contains a characterization of this FOIA action, to which no response is required.
2. This paragraph contains a characterization of this FOIA action, to which no response is required.
3. This paragraph contains conclusions of law regarding jurisdiction and venue to which no response is required. To the extent a response is required Defendant admits the Court has jurisdiction over this FOIA matter.
4. Defendant lacks knowledge or information sufficient to form a belief about the truth of the allegations set forth in this paragraph.
5. Defendant admits that State is an agency of the United States Government. The second sentence of this paragraph contains conclusions of law to which no response is required.

6. This paragraph does not set forth a claim for relief or aver facts in support of a claim to which a response is required.

7. This paragraph does not set forth a claim for relief or aver facts in support of a claim to which a response is required.

8. Defendant admits receiving a FOIA request from Plaintiff dated May 26, 2020. The remainder of this paragraph characterizes Plaintiff's request, which speaks for itself and is the best evidence of its contents. Defendant respectfully refers the Court to Plaintiff's request for a full and accurate statement of its contents.

9. This paragraph characterizes Plaintiff's request, which speaks for itself and is the best evidence of its contents. Defendant respectfully refers the Court to Plaintiff's request for a full and accurate statement of its contents.

10. Defendant admits acknowledging receipt of Plaintiff's FOIA request on June 1, 2020. The remainder of this paragraph characterizes Defendant's response, which speaks for itself and is the best evidence of its contents. Defendant respectfully refers the Court to Defendant's response for a full and accurate statement of its contents.

11. Defendant admits that, as of July 30, 2020, it had not produced any records to Plaintiff or issued a final response to Plaintiff's FOIA request with any determination as to whether it would release the requested records.

12. This paragraph contains conclusions of law to which no response is required.

13. Defendant incorporates its responses to Paragraphs 1 through 13 as if fully stated herein.

14. This paragraph contains conclusions of law to which no response is required.

15. This paragraph contains conclusions of law to which no response is required. To the extent an answer is deemed required, Defendant denies the allegations.

16. This paragraph contains conclusions of law to which no response is required. To the extent an answer is deemed required, Defendant denies the allegations.

17. This paragraph contains conclusions of law to which no response is required. To the extent an answer is deemed required, Defendant denies the allegations.

The remainder of the Complaint sets forth Plaintiff's request for relief, to which no response is required. To the extent a response is deemed required, Defendant denies that Plaintiff is entitled to the relief that it seeks or to any other relief in this action.

Defendant denies any and all allegations in Plaintiff's Complaint not expressly admitted herein.

AFFIRMATIVE DEFENSES

FIRST DEFENSE

Some or all of the records and requested information in Plaintiffs' Freedom of Information Act ("FOIA") request are exempt in whole or in part under the FOIA. *See* 5 U.S.C. § 552(b).

SECOND DEFENSE

The Court lacks subject matter jurisdiction over any requested relief that exceeds the relief authorized by the FOIA.

THIRD DEFENSE

Defendants have exercised due diligence in processing plaintiffs' FOIA requests and exceptional circumstances exist that necessitate additional time for the defendants to complete their processing of the FOIA request. *See* 5 U.S.C. § 552(a)(6)(C).

Respectfully Submitted,

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/s
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