

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

Citizens for Responsibility and  
Ethics in Washington,

*Plaintiff,*

v.

U.S. Department of the Interior Office  
of Inspector General,

*Defendant.*

Case No. 1:21-cv-2284-BAH

**ANSWER**

Defendant the Office of Inspector General of the U.S. Department of the Interior (“Defendant”) files, without waiving any defenses or affirmative defenses to which it may be entitled, this answer to the Complaint for Declaratory and Injunctive Relief filed by Citizens for Responsibility and Ethics in Washington (“Plaintiff”). Any allegations not expressly admitted are denied.

1. This paragraph consists of Plaintiff’s characterization of this lawsuit, to which no response is required. For an accurate and complete statement of the report’s contents, Defendant respectfully refers the Court to that document.

2. This paragraph consists of Plaintiff’s characterization of this lawsuit, to which no response is required.

3. This paragraph consists of conclusions of law, to which no response is required.

4. This paragraph consists of conclusions of law, to which no response is required.

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

6. With regard to the first sentence, Defendant admits that it is an agency within the meaning of 5 U.S.C. § 552(f)(1). The remainder of the paragraph consists of conclusions of law, to which no response is required.

7. The allegations in this paragraph do not set forth a claim for relief or aver facts in support of a claim under the Freedom of Information Act (“FOIA”) to which an answer is required.

8. The allegations in this paragraph do not set forth a claim for relief or aver facts in support of a claim under FOIA to which an answer is required.

9. The allegations in this paragraph do not set forth a claim for relief or aver facts in support of a claim under FOIA to which an answer is required.

10. Admit. This document was proactively posted as a proactive disclosure under the FOIA. No FOIA request had been made for this document on June 8, 2021.

11. Defendant admits that the report stated that “we focused on the USPP’s conduct” and that the report stated that “we did not seek to interview Attorney General William Barr, White House personnel, Federal Bureau of Prisons (BOP) officers, MPD personnel, or Secret Service personnel regarding their independent decisions that did not involve the USPP.” For an accurate and complete statement of the report’s contents, Defendant respectfully refers the Court to that document.

12. The allegations in this paragraph do not set forth a claim for relief or aver facts in support of a claim under FOIA to which an answer is required.

13. Defendant admits that there is a redaction in the sentence of the report that uses the phrase “move up the timeline for clearing the park,” and that there are redactions in the sentence

of the report that uses the phrases “repeated requests” and “on June 2 and 3 to again clear H Street and extend the security perimeter to I Street.” For an accurate and complete statement of the report’s contents, Defendant respectfully refers the Court to that document.

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

15. Defendant admits that Plaintiff submitted a FOIA Request to it dated June 11, 2021, and respectfully refers the Court to that request for an accurate and complete statement of its contents.

16. Admit.

17. Defendant admits that it communicated with Plaintiff on June 11, 2021, and respectfully refers the Court to that communication for an accurate and complete statement of its contents.

18. Defendant admits that, at the time Plaintiff filed its Complaint, Defendant had not communicated further with Plaintiff with respect to the FOIA request at issue. However, the Defendant had begun working on the Plaintiff’s FOIA request as of August 17, 2021, and promptly issued a final response with the requested document to the Plaintiff on September 23, 2021.

19. Defendant incorporates by reference each of the foregoing responses as though fully set forth herein.

20. This paragraph consists of conclusions of law, to which no response is required. To the extent a response is deemed necessary, Defendant admits that the Plaintiff made a FOIA request to the Defendant on June 11, 2021.

21. This paragraph consists of conclusions of law, to which no response is required. To the extent a response is deemed necessary, Defendant denies that it is wrongfully withholding

responsive records. Defendant promptly issued a final response with the requested document to the Plaintiff on September 23, 2021.

22. This paragraph consists of conclusions of law, to which no response is required.

23. This paragraph consists of conclusions of law, to which no response is required.

24. This paragraph consists of conclusions of law, to which no response is required. To the extent this paragraph is deemed to contain factual allegations, Defendant denies those allegations and denies that Plaintiff is entitled to any relief.

### **REQUEST FOR RELIEF**

The remainder of Plaintiff's Complaint consists of Plaintiff's request for relief, and, thus, no response is required. To the extent this paragraph is deemed to contain factual allegations, Defendant denies those allegations and denies that Plaintiff is entitled to any relief.

### **FIRST DEFENSE**

Any information that Defendant has withheld, in response to Plaintiff's FOIA request may be exempt from disclosure, in whole or in part, under one or more exemptions to the Freedom of Information Act ("FOIA") 5 U.S.C. § 552(b).

Dated: October 7, 2021

Respectfully submitted,

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