

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

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CITIZENS FOR RESPONSIBILITY))	
AND ETHICS IN WASHINGTON,))	
))	
Plaintiff,))	
))	
v.))	Civil Action No. 21-0650 (EGS)
))	
U.S. DEPARTMENT OF STATE,))	
))	
Defendant.))	
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ANSWER

Defendant U.S. Department of State (“Defendant”) hereby answers the numbered paragraphs of the corrected Complaint for Injunctive and Declaratory Relief (the “Complaint”) filed by Plaintiff Citizens for Responsibility and Ethics in Washington on March 16, 2021, ECF No. 3-5, in the above-captioned Freedom of Information Act (“FOIA”) action, as follows:

1. The allegations in Paragraph 1 constitute Plaintiff’s characterization of this action and requests for relief to which no response is required.
2. The allegations in Paragraph 2 constitute Plaintiff’s characterization of this action and requests for relief to which no response is required.
3. The allegations in Paragraph 3 constitute legal conclusions regarding jurisdiction and venue, to which no response is required. To the extent a response is deemed necessary, Defendant admits that venue is proper in this judicial district.
4. Defendant lacks knowledge or information sufficient to form a belief about the truth of the allegations in Paragraph 4.

5. Defendant admits that it is an agency of the United States Government. The allegations in the second sentence of Paragraph 5 constitute legal conclusions to which no response is required.

6. The allegations in Paragraph 6 constitute legal conclusions to which no response is required.

7. The allegations in Paragraph 7 constitute legal conclusions to which no response is required.

8. The allegations in Paragraph 8 constitute legal conclusions to which no response is required.

9. The allegations in Paragraph 9 constitute legal conclusions to which no response is required.

10. The allegations in Paragraph 10 do not set forth a claim for relief or aver facts in support of a claim under FOIA to which a response is required. To the extent that the Court determines that the foregoing is an inadequate response, the Court should strike the allegations in this paragraph as immaterial or impertinent pursuant to Federal Rule of Civil Procedure (“Rule”) 12(f)(1).

11. The allegations in Paragraph 11 do not set forth a claim for relief or aver facts in support of a claim under FOIA to which a response is required. To the extent that the Court determines that the foregoing is an inadequate response, the Court should strike the allegations in this paragraph as immaterial or impertinent pursuant to Rule 12(f)(1).

12. The allegations in Paragraph 12 do not set forth a claim for relief or aver facts in support of a claim under FOIA to which a response is required. To the extent that the Court

determines that the foregoing is an inadequate response, the Court should strike the allegations in this paragraph as immaterial or impertinent pursuant to Rule 12(f)(1).

13. The allegations in Paragraph 13 do not set forth a claim for relief or aver facts in support of a claim under FOIA to which a response is required. To the extent that the Court determines that the foregoing is an inadequate response, the Court should strike the allegations in this paragraph as immaterial or impertinent pursuant to Rule 12(f)(1).

14. In response to the allegations in Paragraph 14, Defendant admits that it received a request from Plaintiff dated December 13, 2019. The remainder of the allegations in Paragraph 14 purport to characterize Plaintiff's request, which speaks for itself and is the best evidence of its contents. Defendant respectfully refers the Court to that FOIA request for a full and accurate statement of its contents and denies the allegations in Paragraph 14 to the extent that they are inconsistent with the text, meaning, or context of the referenced FOIA request.

15. The allegations in Paragraph 15 purport to characterize 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 and denies the allegations in Paragraph 15 to the extent that they are inconsistent with the text, meaning, or context of the referenced FOIA request.

16. The allegations in Paragraph 16 purport to characterize 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 and denies the allegations in Paragraph 16 to the extent they are inconsistent with the text, meaning, or context of the referenced FOIA request.

17. The allegations in Paragraph 17 purport to characterize 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 and denies the allegations in Paragraph 17 to the extent they are inconsistent with the text, meaning, or context of the referenced FOIA request.

18. With respect to the allegations in Paragraph 18, Defendant admits that it acknowledged receipt of Plaintiff's FOIA request on February 3, 2020. The remaining allegations in Paragraph 18 purport to characterize 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 and denies the allegations in Paragraph 18 to the extent they are inconsistent with the text, meaning, or context of the referenced response.

19. Defendant admits the allegations in the first sentence of Paragraph 19. Defendant lacks knowledge or information sufficient to form a belief about the truth of the allegations contained in the second sentence of Paragraph 19. Defendant admits the allegations in the third sentence of this paragraph.

20. Defendant admits the allegations in Paragraph 20.

21. The allegations in Paragraph 21 constitute legal conclusions to which to response is required.

22. Defendant incorporates by reference its responses to Paragraphs 1 through 21 of the Complaint, as if fully set forth herein.

23. The allegations in Paragraph 23 constitute legal conclusions to which to response is required.

24. The allegations in Paragraph 24 constitute legal conclusions to which no response is required. To the extent a response is deemed to be required, Defendant denies the allegations in Paragraph 24.

25. The allegations in Paragraph 25 constitute legal conclusions to which no response is required. To the extent that a response is deemed to be required, Defendant denies the allegations in Paragraph 25.

The remaining allegations in the Complaint constitute a prayer 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 requested, or to any relief whatsoever.

Defendant denies all allegations of the Complaint not expressly admitted or denied above.

DEFENSES

1. Plaintiff is not entitled to information that is exempt from disclosure by one or more exemptions enumerated in the FOIA.

2. Plaintiff is not entitled to relief beyond what the FOIA provides.

Dated: April 26, 2021

Respectfully submitted,

CHANNING D. PHILLIPS, D.C. Bar #415793
Acting United States Attorney

BRIAN P. HUDAK
Acting Chief, Civil Division

By: /s/ Paul Cirino
PAUL CIRINO, D.C. Bar #1684555
Assistant United States Attorney

Civil Division
555 4th Street, N.W.
Washington, D.C. 20530
Telephone: (202) 252-2529
paul.cirino@usdoj.gov

Counsel for Defendant