

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

AMERICAN OVERSIGHT,

Plaintiff,

v.

U.S. DEPARTMENT OF DEFENSE and U.S.
DEPARTMENT OF JUSTICE,

Defendants.

Civil Action No. 1:25-cv-4220-RCL

DEFENDANTS' ANSWER TO COMPLAINT

Defendants, by and through their undersigned counsel, respectfully submit the following Answer to Plaintiff's Complaint. ECF No. 1. All allegations not specifically admitted, denied, or otherwise responded to below are hereby denied. Defendants respectfully refer the Court to all referenced external documents as the best evidence of their contents. Defendants reserve the right to amend, alter, and supplement the defenses contained in this Answer as the facts and circumstances giving rise to the complaint become known to the Defendants through the course of this litigation.

Defendants respond to the separately numbered paragraphs of the Complaint as follows:

1. This paragraph consists of Plaintiff's characterization of this action, to which no response is required.

2-17. These paragraphs consist of Plaintiff's characterization of news reports, to which the Court is respectfully referred for a complete and accurate recitation of their contents. To the extent a response is required, these paragraphs fail to state facts in support of a claim or cause of action, and on that basis should be stricken.

18. Denied.

19. This paragraph consists of Plaintiff's characterization of its FOIA requests, attached as Exhibits A–D. Defendants admit that American Oversight submitted FOIA requests but refer the Court to the underlying FOIA requests for a full and accurate description of the requests' contents.

20. Defendants lack knowledge as to Plaintiff's motive for bringing this suit, and on that basis deny.

21. This paragraph states a legal conclusion to which no response is required.

22. This paragraph states a legal conclusion to which no response is required.

23. This paragraph states a legal conclusion to which no response is required. To the extent a response is required, this paragraph is denied.

24. This paragraph states a legal conclusion to which no response is required. To the extent a response is required, this paragraph is denied.

25. Defendants lack knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph.

26-29. These paragraphs state legal conclusions to which no response is required.

30. This paragraph consists of Plaintiff's characterization of its FOIA requests submitted on September 29, 2025, attached as Exhibits A–D. Defendants refer the Court to the underlying FOIA requests for a full and accurate description of the requests' contents.

31. This paragraph consists of Plaintiff's characterization of its FOIA request submitted on September 29, 2025, attached as Exhibit A. Defendants refer the Court to the underlying FOIA request for a full and accurate description of the request's contents.

32. This paragraph consists of Plaintiff's characterization of a request it submitted that is attached as Exhibit A, to which no response is required.

33. Admit.

34. Admit, but the Department of War ("DOW") sent a letter to Plaintiff on December 8, 2025 advising it that DOW would not be able to respond to the request within 20 days due to unusual circumstances.

35. Admit.

36. Admit.

37. This paragraph consists of Plaintiff's characterization of its FOIA request submitted on September 29, 2025, attached as Exhibit B. Defendants refer the Court to the underlying FOIA request for a full and accurate description of the request's contents.

38. This paragraph consists of Plaintiff's characterization of a request it submitted that is attached as Exhibit B, to which no response is required.

39. Admit.

40. Admit, but DOW sent a letter to Plaintiff on December 8, 2025 advising it that DOW would not be able to respond to the request within 20 days due to unusual circumstances.

41. Admit.

42. Admit.

43. This paragraph consists of Plaintiff's characterization of its FOIA request submitted on September 29, 2025, attached as Exhibit C. Defendants refer the Court to the underlying FOIA request for a full and accurate description of the request's contents.

44. This paragraph consists of Plaintiff's characterization of a request it submitted that is attached as Exhibit C, to which no response is required.

45. Admit.

46. Admit.

47. Admit.

48. Admit.

49. Admit.

50. This paragraph consists of Plaintiff's characterization of its FOIA request submitted on September 29, 2025, attached as Exhibit D. Defendants refer the Court to the underlying FOIA request for a full and accurate description of the request's contents.

51. This paragraph consists of Plaintiff's characterization of a request it submitted that is attached as Exhibit D, to which no response is required.

52. Admit, but the Department of Justice ("DOJ") sent a letter to Plaintiff on December 11, 2025 acknowledging receipt and assigning a tracking number.

53. Admit.

54. Admit.

55. This paragraph states a legal conclusion to which no response is required.

56. This paragraph states a legal conclusion to which no response is required.

57. This paragraph incorporates previous allegations, the answers to which are hereby incorporated by reference.

58-61. These paragraphs state legal conclusions to which no response is required.

62. Denied.

63. This paragraph incorporates previous allegations, the answers to which are hereby incorporated by reference.

64-67. These paragraphs state legal conclusions to which no response is required.

68. Denied.

The remaining, unnumbered paragraphs consist of American Oversight's Requested Relief. In response, Defendants deny that American Oversight is entitled to the relief requested or any relief.

DEFENSES

1. Plaintiff is not entitled to information that is exempt from disclosure under FOIA. *See* 5 U.S.C. § 552(b).
2. Defendants' actions or inactions did not violate FOIA or any other statutory or regulatory provision.
3. The Court lacks subject matter jurisdiction over any of Plaintiff's requests for relief that exceed the scope of relief authorized by FOIA. *See* 5 U.S.C. § 552(b).

Dated: January 8, 2026

Respectfully submitted,

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