

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

THE JAMES MADISON PROJECT,)
)
 Plaintiff,)
)
 v.)
)
 CENTRAL INTELLIGENCE AGENCY,)
)
 Defendant.)
 _____)

Case No. 1:07cv01382 (RMU)

ANSWER

Defendant Central Intelligence Agency (CIA), by its undersigned attorneys, hereby answers plaintiff's complaint as follows:

1. Paragraph 1 of the complaint contains plaintiff's legal conclusions regarding jurisdiction for this action, to which no response is required.

2. Paragraph 2 of the complaint contains plaintiff's legal conclusions regarding venue for this action, to which no response is required.

3. Defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 3 of the complaint, and so denies them.

4. Admit that the CIA is a federal agency within the meaning of 5 U.S.C. § 552(e); admit that the CIA possesses some documents responsive to plaintiff's FOIA request.

5. Admit that, by letter dated June 26, 2007, plaintiff submitted a FOIA request to the CIA. The remainder of this paragraph contains plaintiff's characterization of its request, to which no response is required. To the extent that a response is required, defendant denies the allegations on the ground that plaintiff's FOIA request speaks for itself and respectfully refers the Court to that request for a complete and accurate statement of its contents.

6. Admit that the CIA sent plaintiff a letter dated July 4, 2007. The remainder of the paragraph contains plaintiff's characterization of that letter, to which no response is required. To the extent that a response is required, defendant denies the allegations on the ground that the letter speaks for itself and respectfully refers the Court to the letter for a complete and accurate statement of its contents.

7. Paragraph 7 of the complaint contains plaintiff's legal conclusions regarding jurisdiction for this action, to which no response is required. To the extent that a response is required, admit.

8. Paragraph 8 of the complaint contains plaintiff's legal conclusions regarding jurisdiction for this action, to which no response is required. To the extent that a response is required, deny.

The remainder of the complaint sets forth plaintiff's request for relief, to which no response is required. To the extent that a response is required, defendant denies the remaining allegations and denies that plaintiff is entitled to any relief.

Defendant hereby denies all allegations not expressly admitted or denied.

WHEREFORE, having fully answered, defendant asserts that plaintiff is not entitled to the relief requested, or to any relief whatsoever, and requests that defendant be given such other relief as the Court deems just and proper.

FIRST AFFIRMATIVE DEFENSE

Defendant objects to the Complaint to the extent that answering it imposes obligations upon it that exceed those imposed by the FOIA.

SECOND AFFIRMATIVE DEFENSE

Plaintiff is not entitled to compel the production of records protected from disclosure by any applicable exemptions.

Dated: September 7, 2007

Respectfully submitted,

PETER D. KEISLER
Assistant Attorney General

JEFFREY A. TAYLOR
United States Attorney

JOHN R. TYLER
Senior Trial Counsel

/s/ Vesper Mei

VESPER MEI
(D.C. Bar No. 455778)
Trial Attorney
United States Department of Justice
Civil Division, Federal Programs Branch
Post Office Box 883
Washington, D.C. 20044
Telephone: (202) 514-4686
Facsimile: (202) 616-8470 (fax)
E-mail: vesper.mei@usdoj.gov

Of Counsel:

Polly B. Smothergill
Assistant General Counsel
Office of General Counsel
Central Intelligence Agency
Washington, D.C. 20505

Counsel for Defendant