

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

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WASHINGTON ALLIANCE OF)		
TECHNOLOGY WORKERS,)		
)		
<i>Plaintiff,</i>)		
)		
v.)	Case No. 16-1170 (RBW)	
)		
UNITED STATES DEPARTMENT)		
OF HOMELAND SECURITY, <i>et al.</i> ,)		
)		
<i>Defendants.</i>)		
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DEFENDANTS’ ANSWER TO PLAINTIFF’S COMPLAINT

Pursuant to Rules 8 and 12 of the Federal Rules of Civil Procedure, Defendants hereby respond to the allegations contained in the numbered paragraphs of the Plaintiff’s Complaint (ECF No. 1) (hereinafter, “Plaintiff’s Complaint” or “the Complaint”) as follows:

INTRODUCTION

1. Paragraphs 1–3 of the Plaintiff’s Complaint consists of Plaintiff’s characterization of this action seeking review of the Department of Homeland Security’s (DHS) regulation and authorization of F-1 foreign-national students to engage in optional practical training (OPT) within the United States under the Immigration and Nationality Act (INA), 8 U.S.C. § 1101(a)(15)(F)(i), which requires no response. If the Court requires a response, Defendants deny.

4. Paragraph 4 consists of a legal conclusion and requires no response.

5. Paragraph 5 is a legal characterization of this action being brought under the Administrative Procedure Act (APA), 5 U.S.C. § 500, and the Declaratory Judgment Act, 28 U.S.C. § 2201, which are statutes that speak for themselves and require no response.

JURISDICTION AND VENUE

6. Paragraph 6 is a statement of jurisdiction and requires no response. If the Court requires a response, Defendants deny that the Court has subject matter jurisdiction over Plaintiff's Complaint.

7. Paragraph 7 consists of a legal conclusion relating to venue, which requires no response. If the Court requires a response, Defendants admit.

PARTIES

8. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 8 and, on this basis, deny.

9. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 9 and, on this basis, deny.

10. Defendants admit Paragraph 10.

11. Defendants admit the first sentence of Paragraph 11. Defendants deny Paragraph 11's second sentence.

12. Defendants lack knowledge or information sufficient to form a belief as to what Plaintiff means by U.S. Immigration and Customs Enforcement (ICE) being "the agency with in DHS that administrators the OPT program," and, on this basis, deny.

13. Defendants admit the first sentence of Paragraph 13. Defendants deny Paragraph 13's second sentence.

14. Defendants admit Paragraph 14, but deny that U.S. Citizenship and Immigration Services (USCIS) "administers ... visas."

15. Defendants admit the first sentence of Paragraph 15. Defendants deny Paragraph 15's second sentence.

16. Paragraph 16 consists of a legal characterization or conclusion and requires no response.

17. Paragraph 17 consists of a legal characterization and requires no response.

18. Paragraph 18 consists almost entirely of a statutory quotation, which speaks for itself and requires no response.

19. Paragraph 19 consists of a characterization of a statute, which speaks for itself and requires no response.

20. Paragraph 20 consists of a legal characterization or conclusion and requires no response.

21. Paragraph 21 consists of a legal conclusion and requires no response.

22. Defendants admit Paragraph 22.

23. Paragraph 23 consists of a characterization of a statute, which speaks for itself and requires no response.

24. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 24 and, on this basis, deny.

25. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 25 and, on this basis, deny.

26. Paragraph 26 consists of a characterization of a regulation, which speaks for itself and requires no response.

27. Paragraph 27 consists of a characterization of a statute, which speaks for itself and requires no response.

28. Paragraph 28 consists of a legal conclusion and requires no response.

29. Paragraph 29 consists of a characterization of a statute, which speaks for itself and requires no response.

30. Paragraph 30 consists of a legal conclusion and requires no response.

31. Paragraph 31 consists of a legal conclusion and requires no response.

32. Paragraph 32 consists of a characterization of a statute, which speaks for itself and requires no response.

33. Paragraph 33 consists almost entirely of a regulatory quotation, which speaks for itself and requires no response.

34. Paragraph 34 consists of a characterization of a statute, which speaks for itself and requires no response.

35. Paragraph 35's first clause consists of legal conclusion and requires no response. Defendants admit Paragraph 35's second clause.

36. Paragraph 36 consists of a characterization of a regulation, which speaks for itself and requires no response.

37. Paragraph 37 consists of a characterization of a regulation, which speaks for itself and requires no response.

38. Paragraph 38 consists of a characterization of a regulation, which speaks for itself and requires no response.

39. Paragraph 39 consists of a legal conclusion and requires no response.

40. Paragraph 40 consists of a legal conclusion and requires no response.
41. Paragraph 41 consists of a characterization of the *Federal Register*, which speaks for itself and requires no response.
42. Paragraph 42 consists of a characterization of the *Federal Register*, which speaks for itself and requires no response.
43. Paragraph 43 consists of a legal conclusion and requires no response.
44. Paragraph 44 consists of a characterization of the *Federal Register*, which speaks for itself and requires no response.
45. Paragraph 45 consists of a characterization of the *Federal Register*, which speaks for itself and requires no response.
46. Paragraph 46 consists of legal conclusions and a characterization of the *Federal Register*, neither of which requires a response.
47. Paragraph 47 consists of a legal conclusion and requires no response.
48. Paragraph 48 consists of a characterization of a past decision by this district court, which speaks for itself and requires no response.
49. Paragraph 49 consists of a characterization of the *Federal Register*, which speaks for itself and requires no response.
50. Paragraph 50 consists of a characterization of the *Federal Register*, which speaks for itself and requires no response.
51. Paragraph 51 consists of a characterization of the *Federal Register*, which speaks for itself and requires no response.

52. Paragraph 52 consists of a characterization of a regulation, which speaks for itself and requires no response.

53. Paragraph 53 consists of a characterization of regulations, which speak for themselves and requires no response.

54. Paragraph 54 simply incorporates by reference other paragraphs of the Complaint and therefore requires no response.

55. Paragraph 55 relates to one of the claims already dismissed by this Court and therefore requires no response.

56. Paragraph 56 relates to one of the claims already dismissed by this Court and therefore requires no response.

57. Paragraph 57 relates to one of the claims already dismissed by this Court and therefore requires no response.

58. Paragraph 58 relates to one of the claims already dismissed by this Court and therefore requires no response.

59. Paragraph 59 relates to one of the claims already dismissed by this Court and therefore requires no response.

60. Paragraph 60 relates to one of the claims already dismissed by this Court and therefore requires no response.

61. Paragraph 61 relates to one of the claims already dismissed by this Court and therefore requires no response.

62. Paragraph 62 simply incorporates by reference other paragraphs of the Complaint and therefore requires no response.

63. Paragraph 63 consists of a legal conclusion and requires no response.

64. Paragraph 64 simply incorporates by reference other paragraphs of the Complaint and therefore requires no response.

65. Paragraph 65 relates to one of the claims already dismissed by this Court and therefore requires no response.

66. Paragraph 66 relates to one of the claims already dismissed by this Court and therefore requires no response.

67. Paragraph 67 relates to one of the claims already dismissed by this Court and therefore requires no response.

68. Paragraph 68 relates to one of the claims already dismissed by this Court and therefore requires no response.

69. Paragraph 69 relates to one of the claims already dismissed by this Court and therefore requires no response.

70. Paragraph 70 relates to one of the claims already dismissed by this Court and therefore requires no response.

71. Paragraph 71 relates to one of the claims already dismissed by this Court and therefore requires no response.

72. Paragraph 72 relates to one of the claims already dismissed by this Court and therefore requires no response.

73. Paragraph 73 relates to one of the claims already dismissed by this Court and therefore requires no response.

74. Paragraph 74 relates to one of the claims already dismissed by this Court and therefore requires no response.

75. Paragraph 75 relates to one of the claims already dismissed by this Court and therefore requires no response.

76. Paragraph 76 relates to one of the claims already dismissed by this Court and therefore requires no response.

77. Paragraph 77 relates to one of the claims already dismissed by this Court and therefore requires no response.

78. Paragraph 78 relates to one of the claims already dismissed by this Court and therefore requires no response.

79. Paragraph 79 relates to one of the claims already dismissed by this Court and therefore requires no response.

80. Paragraph 80 relates to one of the claims already dismissed by this Court and therefore requires no response.

81. Paragraph 81 simply incorporates by reference other paragraphs of the Complaint and therefore requires no response.

82. Paragraph 82 relates to one of the claims already dismissed by this Court and therefore requires no response.

83. Paragraph 83 relates to one of the claims already dismissed by this Court and therefore requires no response.

84. Paragraph 84 relates to one of the claims already dismissed by this Court and therefore requires no response.

85. Paragraph 85 consists of a legal conclusion and requires no response.

86. Paragraph 86 consists of a legal conclusion and requires no response. If the Court requires a response, Defendants deny.

87. Paragraph 87 consists of a legal conclusion and requires no response. If the Court requires a response, Defendants deny.

88. Paragraph 88 consists of a legal conclusion and requires no response.

89. Paragraph 89 consists of a legal conclusion and requires no response.

90. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 90 and, on this basis, deny.

91. Paragraph 91 consists of a legal conclusion and requires no response.

92. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 92 and, on this basis, deny.

93. Paragraph 93 consists of a characterization of, and a block quotation from, the *Federal Register*, which speaks for itself and requires no response.

94. Paragraph 94 consists of a legal conclusion and requires no response.

95. Paragraph 95 consists of a quotation from a congressional bill, which speaks for itself and requires no response.

96. Paragraph 96 consists of a legal conclusion and requires no response.

97. Paragraph 97 consists of a legal conclusion and requires no response.

98. Paragraph 98 consists of a legal conclusion and requires no response.

99. Paragraph 99 consists of a legal conclusion and requires no response.

100. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 100 and, on this basis, deny.

101. Paragraph 101 consists of a characterization of a publicly available press release from the Department of Justice's website, which speaks for itself and requires no response.

102. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 102 and, on this basis, deny.

103. Paragraph 103 consists of a legal conclusion and requires no response.

104. Paragraph 104 consists of a legal conclusion and requires no response.

105. Paragraph 105 consists of a characterization of a publicly available document from the General Accounting Office, which speaks for itself and requires no response.

106. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 106 and, on this basis, deny.

107. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 107 and, on this basis, deny.

108. Paragraph 108 consists of a legal conclusion and requires no response.

109. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 109 and, on this basis, deny.

110. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 110 and, on this basis, deny.

111. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 111 and, on this basis, deny.

112. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 112 and, on this basis, deny.

113. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 113 and, on this basis, deny.

114. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 114 and, on this basis, deny.

115. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 115 and, on this basis, deny.

116. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 116 and, on this basis, deny.

117. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 117 and, on this basis, deny.

118. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 118 and, on this basis, deny.

119. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 119 and, on this basis, deny.

120. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 120 and, on this basis, deny.

121. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 121 and, on this basis, deny.

122. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 122 and, on this basis, deny.

123. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 123 and, on this basis, deny.

124. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 124 and, on this basis, deny.

125. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 125 and, on this basis, deny.

126. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 126 and, on this basis, deny.

127. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 127 and, on this basis, deny.

128. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 128 and, on this basis, deny.

129. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 129 and, on this basis, deny.

130. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 130 and, on this basis, deny.

131. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 131 and, on this basis, deny.

132. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 132 and, on this basis, deny.

133. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 133 and, on this basis, deny.

134. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 134 and, on this basis, deny.

135. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 135 and, on this basis, deny.

136. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 136 and, on this basis, deny.

137. Defendants lack knowledge or information sufficient to form a belief as to the factual allegations in Paragraph 137 and, on this basis, deny. Paragraph 137 also contains legal conclusions, which requires no response.

138. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 138 and, on this basis, deny.

139. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 139 and, on this basis, deny.

140. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 140 and, on this basis, deny.

141. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 141 and, on this basis, deny.

142. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 142 and, on this basis, deny.

143. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 143 and, on this basis, deny.

144. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 144 and, on this basis, deny.

145. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 145 and, on this basis, deny.

146. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 146 and, on this basis, deny.

147. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 147 and, on this basis, deny.

148. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 148 and, on this basis, deny.

149. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 149 and, on this basis, deny.

150. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 150 and, on this basis, deny.

151. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 151 and, on this basis, deny.

152. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 152 and, on this basis, deny.

153. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 153 and, on this basis, deny.

154. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 154 and, on this basis, deny.

155. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 155 and, on this basis, deny.

156. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 156 and, on this basis, deny.

157. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 157 and, on this basis, deny.

158. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 158 and, on this basis, deny.

159. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 159 and, on this basis, deny.

160. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 160 and, on this basis, deny.

161. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 161 and, on this basis, deny.

162. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 162 and, on this basis, deny.

163. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 163 and, on this basis, deny.

164. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 164 and, on this basis, deny.

165. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 165 and, on this basis, deny.

166. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 166 and, on this basis, deny.

167. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 167 and, on this basis, deny.

168. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 168 and, on this basis, deny.

169. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 169 and, on this basis, deny.

170. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 170 and, on this basis, deny.

171. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 171 and, on this basis, deny.

172. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 172 and, on this basis, deny.

173. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 173 and, on this basis, deny.

174. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 174 and, on this basis, deny.

175. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 175 and, on this basis, deny.

176. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 176 and, on this basis, deny.

177. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 177 and, on this basis, deny.

178. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 178 and, on this basis, deny.

179. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 179 and, on this basis, deny.

180. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 180 and, on this basis, deny.

181. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 181 and, on this basis, deny.

182. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 182 and, on this basis, deny.

183. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 183 and, on this basis, deny.

184. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 184 and, on this basis, deny.

185. Paragraph 185 contains legal conclusions, which requires no response.

186. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 186 and, on this basis, deny.

187. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 187 and, on this basis, deny.

188. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 188 and, on this basis, deny.

189. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 189 and, on this basis, deny.

190. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 190 and, on this basis, deny.

191. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 191 and, on this basis, deny.

192. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 192 and, on this basis, deny.

193. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 193 and, on this basis, deny.

194. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 194 and, on this basis, deny.

195. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 195 and, on this basis, deny.

196. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 196 and, on this basis, deny.

197. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 197 and, on this basis, deny.

198. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 198 and, on this basis, deny.

199. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 199 and, on this basis, deny.

200. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 200 and, on this basis, deny.

201. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 201 and, on this basis, deny.

202. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 201 and, on this basis, deny.

203. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 203 and, on this basis, deny.

204. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 204 and, on this basis, deny.

205. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 205 and, on this basis, deny.

206. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 206 and, on this basis, deny.

207. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 207 and, on this basis, deny.

208. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 208 and, on this basis, deny.

209. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 209 and, on this basis, deny.

210. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 210 and, on this basis, deny.

211. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 211 and, on this basis, deny.

212. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 212 and, on this basis, deny.

213. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 213 and, on this basis, deny.

214. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 214 and, on this basis, deny.

215. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 215 and, on this basis, deny.

216. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 216 and, on this basis, deny.

217. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 217 and, on this basis, deny.

218. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 218 and, on this basis, deny.

219. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 219 and, on this basis, deny.

220. Paragraph 220 contains legal characterizations and conclusions, which requires no response.

221. Paragraph 221 contains legal characterizations and conclusions, which requires no response.

222. Defendants lack knowledge or information sufficient to form a belief as to the allegations in Paragraph 222 and, on this basis, deny.

223. Paragraph 223 consists of a quotation from a third-party's website. Defendants lack knowledge or information sufficient to form a belief as to the validity of that quotation, however, and, on this basis, deny.

224. Paragraph 224 contains a legal conclusion, which requires no response.

225. Paragraph 225 contains legal characterizations and conclusions, which requires no response.

226. Paragraph 226 contains a legal conclusion, which requires no response.

The allegations following Paragraph 226 contain Plaintiff's prayer for relief, which requires no response.

GENERAL DENIAL

Defendants deny all allegations not specifically admitted.

AFFIRMATIVE DEFENSES

In further answer to Plaintiff's Complaint and as separate affirmative defenses, Defendants state as follows:

1. The Court lacks subject matter jurisdiction over Plaintiff's Complaint.
2. Plaintiff's Complaint and each cause of action therein fails to state a claim upon which relief may be granted.
3. Plaintiff failed to exhaust its administrative remedies.

4. Plaintiff has suffered no injury.
5. Plaintiff's allegations concern or involve facts and events outside the administrative record.
6. Relief should be denied as an exercise of judicial discretion to withhold relief.
7. Although Defendants do not presently have specific facts in support of their remaining defenses, they hereby put Plaintiff on notice that Defendants raise the following affirmative defenses, as set forth in Federal Rule of Civil Procedure 8, should Defendants become aware of facts that support those defenses, including but not limited to: estoppel, res judicata, waiver, statute of limitations, and fraud.
8. Defendants reserve the right to assert other defenses as this action proceeds up to and including the time of trial.

DEFENDANTS' PRAYER FOR RELIEF

WHEREFORE, Defendants, having fully answered the Plaintiff's Complaint, respectfully pray for judgment denying each and every prayer for relief, dismissing the action, granting Defendants their costs, and granting such other and further relief as this Court deems just and proper.

Respectfully submitted,

JOSEPH H. HUNT
Acting Assistant Attorney General

WILLIAM C. PEACHEY
Director

GLENN M. GIRDHARRY
Assistant Director

By: /s/ Joshua S. Press
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Attorneys for Defendants

Dated: July 22, 2019

CERTIFICATE OF SERVICE

I hereby certify that on July 22, 2019, I electronically filed the foregoing DEFENDANTS' ANSWER TO PLAINTIFF'S COMPLAINT with the Clerk of the Court by using the CM/ECF system, which will provide electronic notice and an electronic link to this document to all attorneys of record.

DATED: July 22, 2019

By: /s/ Joshua S. Press
JOSHUA S. PRESS
Trial Attorney
United States Department of Justice
Civil Division