UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

STEVEN AFTERGOOD 2501 M Street NW, Apt. 706 Washington, DC 20037)))
Washington, DC 20037)
Plaintiff,)) Case No. 1:05CV01307 (JBW)
v.) (EFC)
NATIONAL RECONNAISSANCE OFFICE)
14675 Lee Highway)
Chantilly, VA 20151-1715)
Defendant.))

ANSWER

Defendant, National Reconnaissance Office, through the undersigned counsel hereby

answers to Plaintiff's Complaint as follows:

- 1. Defendant admits allegations in this Paragraph.
- 2. Defendant admits the allegations in this Paragraph.
- 3. Defendant admits that the CBJB is intended for delivery to Congress. Except for the

forgoing admission, Defendant denies all remaining allegations in this Paragraph.

4. Defendant lacks sufficient information and knowledge to admit or deny the allegations in

this Paragraph and, therefore, denies them.

5. Defendant denies the allegations in this Paragraph.

6. Defendant denies the allegations in this Paragraph.

7. Defendant admits the allegations in this Paragraph.

8. Defendant denies the allegations in this Paragraph.

9. This Paragraph contains conclusions of law to which a response is not necessary. To the extent that a response is necessary, Defendant denies the allegations.

10. This Paragraph contains a statement on venue to which a response is not necessary.

11. Defendant lacks sufficient information or knowledge to admit or deny this Paragraph and, therefore, denies it.

12. Defendant admits the allegations in this Paragraph.

13. Defendant admits the allegations in this Paragraph.

14. Defendant admits the allegations in this Paragraph.

15. Defendant admits the allegations in this Paragraph.

16. Defendant admits the allegations in this Paragraph.

17. Defendant incorporates by reference its answers to Paragraphs 1-16 herein.

18. Defendant denies this Paragraph.

With regard to Plaintiff's Prayer for Relief, a response is not necessary. However, to the extent that a response is necessary, Defendant denies these allegations. Defendant further avers that Plaintiff is not entitled to any relief.

AFFIRMATIVE DEFENSES

FIRST DEFENSE

The Court lacks subject matter jurisdiction over the Complaint or a portion thereof.

SECOND DEFENSE

The Plaintiff has not properly exhausted his administrative remedies.

THIRD DEFENSE

The Complaint or a portion thereof fails to state a claim upon which relief may be granted.

Defendant expressly denies all allegations to which no specific response has been made.

Defendant prays that the Court enters judgment in favor of Defendant and dismisses the above-captioned action with prejudice.

Dated: August 10, 2005

/s/

KENNETH L. WAINSTEIN, D.C. BAR #451058 United States Attorney

/s/

R. CRAIG LAWRENCE, D.C. BAR #171538 Assistant United States Attorney

/s/

JOHN C. TRUONG, D.C. BAR #465901 Assistant United States Attorney 555 Fourth Street, N.W. Washington, D.C. 20530 (202) 307-0406 Attorneys for Defendant NRO