

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

Washington Alliance of Technology
Workers,

Plaintiff,

v.

United States Department of Homeland
Security, et al.,

Defendants,

v.

National Association of Manufacturers
733 10th Street NW
Suite 700
Washington, DC 20001,

Chamber of Commerce of the United
States of America
1615 H Street NW
Washington, DC 20062,

Information Technology Industry Council
1101 K Street NW
Suite 610
Washington, DC 20005,

Intervenors-Defendants.

Civil Action No. 1:16-cv-01170 (RBW)

Hon. Reggie B. Walton

INTERVENORS' ANSWER TO PLAINTIFF'S COMPLAINT

Pursuant to Federal Rule of Civil Procedure 8, Intervenors-Defendants the National Association of Manufacturers, the Chamber of Commerce of the United States of America, and the Information Technology Industry Council (collectively, Intervenors), through the undersigned counsel, respectfully answer the Complaint in the above-captioned action.

The headings and subheadings within the Complaint do not contain allegations that require a response. To the extent a response is required, the allegations contained in the headings and subheadings are denied.

1. Paragraph 1 characterizes plaintiff's lawsuit and legal theory and does not require a response.
2. Paragraph 2 characterizes plaintiff's lawsuit and legal theory and does not require a response.
3. Paragraph 3 characterizes the contents of federal regulations, which speak for themselves, are the best evidence of their contents, and to which no response is required.
4. Paragraph 4 states opinions and legal conclusions to which no response is required.
5. Admitted.
6. Whether this Court has jurisdiction is a legal matter requiring no response.
7. Whether venue is proper in this District is a legal matter requiring no response.
8. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 8.
9. Admitted.
10. Admitted.
11. Admitted, except that Jeh Johnson is no longer the current Secretary of Homeland Security.
12. Admitted.
13. Admitted, except that Sarah R. Saldana is no longer the Director of U.S. Immigration and Customs Enforcement.
14. Admitted.
15. Admitted, except that Leon Rodriguez is no longer the Director of U.S. Citizenship and Immigration Services.
16. Paragraph 16 consists of legal characterizations or conclusions to which no response is required.
17. Paragraph 17 characterizes a federal statute to which no response is required.
18. Paragraph 18 quotes from and characterizes a federal statute, which speaks for itself, is the best evidence of its contents, and to which no response is required.

19. Paragraph 19 characterizes a federal statute to which no response is required.

20. Paragraph 20 consists of legal characterizations or conclusions to which no response is required.

21. Paragraph 21 consists of legal characterizations or conclusions to which no response is required.

22. Admitted.

23. Paragraph 23 characterizes the contents of a federal statute, which speaks for itself, is the best evidence of its contents, and to which no response is required.

24. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 24.

25. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 25.

26. Paragraph 26 characterizes the contents of a federal regulation, which speaks for itself, is the best evidence of its contents, and to which no response is required.

27. Paragraph 27 characterizes the contents of a federal statute, which speaks for itself, is the best evidence of its contents, and to which no response is required.

28. Paragraph 28 consists of legal characterizations to which no response is required.

29. Paragraph 29 characterizes the contents of a federal statute, which speaks for itself, is the best evidence of its contents, and to which no response is required.

30. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 30.

31. Paragraph 31 consists of legal characterizations to which no response is required.

32. Paragraph 32 characterizes the contents of a federal statute, which speaks for itself, is the best evidence of its contents, and to which no response is required.

33. Paragraph 33 quotes from and characterizes the content of federal regulations, which speak for themselves, are the best evidence of their contents, and to which no response is required.

34. Paragraph 34 characterizes the contents of a federal statute, which speaks for itself, is the best evidence of its contents, and to which no response is required.

35. Paragraph 35 consists of opinions and legal characterizations and regulations to which no response is required.

36. Paragraph 36 consists of characterizations of federal regulations that speak for themselves and to which no response is required.

37. Paragraph 37 consists of characterizations of federal regulations that speak for themselves and to which no response is required.

38. Paragraph 38 quotes from and characterizes the contents of the *Federal Register*, which speaks for itself, is the best evidence of its contents, and to which no response is required.

39. Paragraph 39 consists of legal opinions and characterizations to which no response is required.

40. Paragraph 40 consists of legal characterizations to which no response is required.

41. Paragraph 41 characterizes the contents of the *Federal Register*, which speaks for itself, is the best evidence of its contents, and to which no response is required.

42. Paragraph 42 characterizes the contents of the *Federal Register*, which speaks for itself, is the best evidence of its contents, and to which no response is required.

43. Paragraph 43 states a legal opinion to which no response is required.

44. Paragraph 44 quotes from and characterizes the contents of the *Federal Register*, which speaks for itself, is the best evidence of its contents, and to which no response is required.

45. Paragraph 45 quotes from and characterizes the contents of the *Federal Register*, which speaks for itself, is the best evidence of its contents, and to which no response is required.

46. Paragraph 46 quotes from and characterizes the contents of the *Federal Register*, which speaks for itself, is the best evidence of its contents, and to which no response is required. Paragraph 45 also contains opinions and legal conclusions requiring no response.

47. Paragraph 47 consists of characterizations of federal regulations that speak for themselves and to which no response is required.

48. Paragraph 48 consists of a characterization of an order of this Court, to which no response is required.

49. Intervenors lack sufficient information or knowledge to admit or deny whether the regulation cited in paragraph 49 was promulgated as a result of the Court's ruling.

50. Paragraph 50 characterizes the contents of the *Federal Register*, which speaks for itself, is the best evidence of its contents, and to which no response is required.

51. Paragraph 51 characterizes the contents of the *Federal Register*, which speaks for itself, is the best evidence of its contents, and to which no response is required.

52. Paragraph 52 consists of characterizations of federal regulations which speak for themselves and to which no response is required.

53. Paragraph 53 consists of characterizations of federal regulations to which no response is required.

Because the Court has dismissed Count I, no response is required to paragraphs 54-61.

62. Paragraph 62 incorporates prior paragraphs, requiring no response.

63. Paragraph 63 states opinions and legal conclusions to which no response is required.

Because the Court has dismissed Counts III and IV, no response is required to paragraphs 64-84.

85. Paragraph 85 states an opinion or legal conclusion to which no response is required. To the extent it contains a factual allegation, that allegation is denied.

86. Paragraph 86 states an opinion or legal conclusion to which no response is required. To the extent it contains a factual allegation, that allegation is denied.

87. Paragraph 87 states opinions and legal conclusions to which no response is required. To the extent it contains a factual allegation, that allegation is denied.

88. Paragraph 88 states opinions and legal conclusions to which no response is required.

89. Paragraph 89 states opinions and legal conclusions to which no response is required. It also characterizes the contents of the *Federal Register*, which speaks for itself, is the best evidence of its contents, and to which no response is required.

90. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 90.

91. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 91.

92. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 92.

93. Paragraph 93 quotes from and characterizes the contents of the *Federal Register*, which speaks for itself, is the best evidence of its contents, and to which no response is required.

94. Paragraph 94 consists of legal characterizations to which no response is required.

95. Paragraph 95 quotes from and characterizes a federal congressional bill, which speaks for itself, is the best evidence of its contents, and to which no response is required.

96. Paragraph 96 consists of legal characterizations to which no response is required.

97. Paragraph 97 states opinions and legal conclusions to which no response is required. It also characterizes the contents of the *Federal Register*, which speaks for itself, is the best evidence of its contents, and to which no response is required.

98. Paragraph 98 states an opinion or legal conclusion to which no response is required. To the extent it contains a factual allegation, that allegation is denied.

99. Paragraph 99 states an opinion or legal conclusion to which no response is required. To the extent it contains a factual allegation, that allegation is denied.

100. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 100.

101. Paragraph 101 characterizes a government document, which speaks for itself, is the best evidence of its contents, and to which no response is required.

102. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 102.

103. Paragraph 103 states an opinion or legal conclusion to which no response is required. To the extent it contains a factual allegation, that allegation is denied.

104. Paragraph 104 states an opinion or legal conclusion to which no response is required. To the extent it contains a factual allegation, that allegation is denied.

105. Paragraph 105 quotes from and characterizes a government document, which speaks for itself, is the best evidence of its contents, and to which no response is required.

106. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 106.

107. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 107.

108. Paragraph 108 states an opinion or legal conclusion to which no response is required. To the extent it contains a factual allegation, that allegation is denied.

109. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 109.

110. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 110.

111. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 111.

112. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 112.

113. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 113.

114. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 114.

115. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 115.

116. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 116.

117. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 117.

118. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 118.

119. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 119.

120. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 120.

121. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 121.

122. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 122.

123. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 123.

124. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 124.

125. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 125.

126. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 126.

127. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 127.

128. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 128.

129. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 129.

130. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 130.

131. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 131.

132. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 132.

133. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 133.

134. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 134.

135. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 135.

136. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 136.

137. Intervenors lack any knowledge of Mr. Blatt. Paragraph 137 otherwise states an opinion or legal conclusion to which no response is required. To the extent it contains any further factual allegations, those allegations are denied.

138. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 138.

139. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 139.

140. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 140.

141. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 141.

142. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 142.

143. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 143.

144. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 144.

145. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 145.

146. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 146.

147. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 147.

148. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 148.

149. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 149.

150. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 150.

151. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 151.

152. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 152.

153. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 153.

154. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 154.

155. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 155.

156. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 156.

157. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 157.

158. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 158.

159. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 159.

160. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 160.

161. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 161.

162. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 162.

163. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 163.

164. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 164.

165. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 165.

166. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 166.

167. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 167.

168. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 168.

169. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 169.

170. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 170.

171. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 171.

172. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 172.

173. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 173.

174. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 174.

175. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 175.

176. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 176.

177. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 177.

178. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 178.

179. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 179.

180. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 180.

181. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 181.

182. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 182.

183. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 183.

184. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 184.

185. Paragraph 185 states an opinion or legal conclusion to which no response is required. To the extent it contains a factual allegation, that allegation is denied.

186. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 186.

187. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 187.

188. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 188.

189. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 189.

190. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 190.

191. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 191.

192. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 192.

193. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 193.

194. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 194.

195. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 195.

196. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 196.

197. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 197.

198. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 198.

199. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 199.

200. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 200.

201. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 201.

202. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 202.

203. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 203.

204. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 204.

205. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 205.

206. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 206.

207. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 207.

208. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 208.

209. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 209.

210. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 210.

211. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 211.

212. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 212.

213. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 213.

214. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 214.

215. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 215.

216. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 216.

217. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 217.

218. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 218.

219. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 219.

220. Paragraph 220 consists of legal characterizations to which no response is required.

221. Paragraph 221 states opinions and legal conclusions to which no response is required.

222. Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 222.

223. Intervenors admit that paragraph 223 accurately quotes from the cited document.

224. Paragraph 224 consists of opinions and characterizations of federal regulations to which no response is required.

225. Paragraph 225 contains opinions and legal conclusions requiring no response. Otherwise, Intervenors lack sufficient information or knowledge to admit or deny the truth of the allegations in paragraph 225.

226. Paragraph 226 contains opinions and legal conclusions requiring no response.

The allegations following paragraph 226 constitute a prayer for relief to which no response is required.

GENERAL DENIAL

To the extent that any factual allegation in the Complaint has not been admitted or specifically responded to, Intervenors deny such allegation.

DEFENSES

1. Plaintiff lacks standing with respect to some or all of its claims.

2. Plaintiff has failed to state a claim upon which relief can be granted.

3. One or more of the claims set forth in the Complaint is barred by the applicable statute of limitations.

4. Intervenors reserve the right to raise any defense, including but not limited to those found in Federal Rules of Civil Procedure 8(c) and 12, that may be supported by the record in this case.

Dated: July 15, 2019

Respectfully submitted,

/s/ Paul W. Hughes

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