

1 BRETT A. SHUMATE
 Assistant Attorney General
 2 Civil Division
 ERIC J. HAMILTON (CA Bar No. 296283)
 3 Deputy Assistant Attorney General
 JEAN LIN (NY Bar No. 4074530)
 4 Senior Litigation Counsel
 JAMES W. HARLOW (Md. Bar, no number issued)
 5 KRISTINA A. WOLFE (VA Bar. No. 71570)
 Senior Trial Counsel
 6 CHRISTIAN DIBBLEE (DC Bar No. 90002557)
 Trial Attorney
 7 Federal Programs Branch
 U.S. Department of Justice
 8 1100 L Street, N.W.
 Washington, D.C. 20005
 9 (202) 514-6786
 james.w.harlow@usdoj.gov

10 *Counsel for Defendants*

11 **UNITED STATES DISTRICT COURT**
 12 **NORTHERN DISTRICT OF CALIFORNIA**
 13 **SAN FRANCISCO DIVISION**

14 ANTHROPIC PBC,

15 Plaintiff,

16 v.

17 U.S. DEPARTMENT OF WAR, *et al.*,

18 Defendants.
 19
 20
 21

Case No. 3:26-cv-01996-RFL

ANSWER TO COMPLAINT

22 Defendants hereby answer Plaintiff's Complaint (ECF No. 1) as follows. Any allegations not
 23 specifically admitted, denied, or otherwise responded to below are hereby denied.

24 1. Admit the first and sixth sentences. Lack knowledge or information sufficient to form a
 25 belief about the truth of the second sentence. Deny the third, fourth, seventh, ninth, and tenth sentences.
 26 For the fifth sentence, admit the Secretary of War's social media post of February 27, 2026 contains the
 27 quoted language; otherwise, deny. Deny the eighth sentence, except admit the First Amendment to the
 28 U.S. Constitution protects the freedom of speech otherwise.

1 2. Lack knowledge or information sufficient to form a belief about the truth of the first
2 sentence. Admit the second sentence. For the third sentence, admit that Anthropic has developed Claude
3 models for specific use on Department of War national security systems and to support national security
4 functions; otherwise deny. For the fourth sentence, admit that, as of March 9, 2026, Anthropic was the
5 only frontier AI model on the Department of War's classified systems. For the fifth sentence, admit the
6 Department of War has used Claude to support critical military operations, and that Secretary Hegseth
7 used the quoted language to describe Claude's capabilities.

8 3. Lack knowledge or information sufficient to form a belief about the truth of the first,
9 second, third, and fourth sentences. Admit the fifth sentence. For the sixth sentence, admit that Anthropic
10 maintained its commitment to those two specific restrictions during the 2025-2026 contract negotiations;
11 otherwise, lack knowledge or information sufficient to form a belief about the truth of the allegation.

12 4. Admit the first sentence. Deny the second sentence. For the third sentence, admit that
13 Anthropic expressed its views about the limitations of its AI services. Admit the fourth sentence.

14 5. Deny the first and third sentences. For the second sentence, admit that Department of War
15 leadership made the quoted statements during a congressional hearing and in a social media post.

16 6. Admit that on February 26, 2026, Anthropic's CEO said the company could not "in good
17 conscience accede to" the Department of War's contractual "requests"; otherwise, deny.

18 7. Admit the first sentence. For the second sentence, admit the President's February 27, 2026
19 Truth Social post contains the quoted language; otherwise, deny. For the third sentence, admit the
20 President's February 27, 2026 Truth Social post contains the quoted language; otherwise, deny. For the
21 fourth sentence, admit the President's February 27, 2026 Truth Social post contains the quoted language;
22 otherwise, deny.

23 8. For the first sentence, admit the Secretary of War issued a social media post on February
24 27, 2026 in response to the President's directive; otherwise, deny. For the second, third, fourth, and fifth
25 sentences, admit the Secretary of War's social media post of February 27, 2026 contains the quoted
26 language; otherwise, deny.

27 9. Admit the first sentence. For the second sentence, admit that GSA ended availability of
28 Anthropic services through contractors participating in GSA's "OneGov" program. For the third sentence,

1 admit as to the Department of the Treasury and admit that the director of the Federal Housing Finance
2 Agency sent notification that the Federal Housing Finance Agency, Fannie Mae, and Freddie Mac are
3 terminating all use of Anthropic products. For the fourth sentence, deny as to the Department of Health
4 and Human Services; admit that the Department of State sent notifications to users of its internal AI
5 platforms to inform them of system updates, and to instruct them to transition away from Anthropic
6 models.

7 10. Admit the first, second, and fourth sentences. For the third sentence, deny that the
8 determination under 10 U.S.C. § 3252 applies beyond Anthropic's products or services that meet the
9 definition of a "covered item of supply" or that would be procured as part of a "covered system," as those
10 terms are defined at 48 C.F.R. § 239.7301.

11 11. Deny the first sentence. For the second sentence, admit the Secretary of War's social media
12 post of February 27, 2026 contains the quoted language; otherwise, deny. For the third sentence, admit
13 that consequences flow from a determination under 10 U.S.C. § 3252; otherwise, deny. For the fourth
14 sentence, admit that, as of March 9, 2026, certain contracts between Anthropic and the federal agreement
15 had been canceled. Lack knowledge or information sufficient to form a belief about the truth of the fifth
16 sentence. Deny the sixth and seventh sentences.

17 12. Deny.

18 13. Deny the first sentence. For the second sentence, admit the First Amendment to the U.S.
19 Constitution may apply to Anthropic; otherwise, deny. Admit the third and fourth sentences. Deny the
20 fifth sentence.

21 14. Deny the first sentence. For the second sentence, admit the quoted language appears in the
22 cited decision.

23 15. Deny.

24 16. Deny.

25 17. Lack knowledge or information sufficient to form a belief about the truth of the first
26 sentence. Deny the remainder of the paragraph.

27 18. Admit.

28 19. Admit.

1 20. Admit.

2 21. Admit.

3 22. Admit.

4 23. Admit.

5 24. Admit.

6 25. Admit.

7 26. Admit.

8 27. Admit.

9 28. Admit.

10 29. Admit.

11 30. Admit.

12 31. Admit.

13 32. Admit.

14 33. Admit.

15 34. Admit.

16 35. Admit.

17 36. Deny that the Executive Office of the President is “a federal agency.”

18 37. Admit.

19 38. Admit.

20 39. Admit.

21 40. Admit.

22 41. Admit.

23 42. Admit.

24 43. Admit.

25 44. Admit.

26 45. Admit.

27 46. Admit.

28 47. Admit.

1 48. Deny.

2 49. Admit.

3 50. Admit.

4 51. Admit.

5 52. Admit.

6 53. Admit.

7 54. Lack knowledge or information sufficient to form a belief about the truth of the allegations
8 in this paragraph.

9 55. Admit the first sentence. For the second sentence, admit the Court's authority to award
10 declaratory and injunctive relief but deny that Plaintiff is entitled to any relief. For the third sentence,
11 admit that 5 U.S.C. § 702 provides that "[a]n action in a court of the United States seeking relief other
12 than money damages and stating a claim that an agency or an officer or employee thereof acted or failed
13 to act in an official capacity or under color of legal authority shall not be dismissed nor relief therein be
14 denied on the ground that it is against the United States or that the United States is an indispensable party."

15 56. Admit the cited cases address whether a court may enjoin ultra vires or unconstitutional
16 action; otherwise, deny.

17 57. Admit.

18 58. Admit.

19 59. Admit.

20 60. Admit.

21 61. Admit the first and second sentences. Lack knowledge or information sufficient to form a
22 belief about the truth of the third sentence.

23 62. Admit the first, second, and fourth sentences. Lack knowledge or information sufficient to
24 form a belief about the truth of the third sentence.

25 63. Admit that Anthropic was founded in 2021; otherwise, lack knowledge or information
26 sufficient to form a belief about the truth of the first sentence. Lack knowledge or information sufficient
27 to form a belief about the truth of the second, third, fifth, and sixth sentences. Admit that Anthropic builds
28 and deploys AI systems; otherwise, lack knowledge or information sufficient to form a belief about the

1 truth of the fourth sentence.

2 64. Admit that Anthropic is a public benefit corporation; otherwise, lack knowledge or
3 information sufficient to form a belief about the truth of the first sentence. Lack knowledge or information
4 sufficient to form a belief about the truth of the second sentence.

5 65. Lack knowledge or information sufficient to form a belief about the truth of the first
6 sentence. Admit the second sentence.

7 66. Admit.

8 67. Admit.

9 68. Lack knowledge or information sufficient to form a belief about the truth of the first
10 sentence. For the second sentence, admit that, as of March 9, 2026, Anthropic was the only frontier AI
11 model on the Department of War's classified systems.

12 69. Admit the first, third, and fourth sentences. Lack knowledge or information sufficient to
13 form a belief about the truth of the second and fifth sentences.

14 70. Admit the first sentence. Admit the Department of War has provided feedback to Anthropic
15 to address certain use cases; otherwise, lack knowledge or information sufficient to form a belief about
16 the truth of the second sentence. Admit that Claude Gov models undergo safety testing; otherwise, lack
17 knowledge or information sufficient to form a belief about the truth of the third sentence.

18 71. Admit.

19 72. Admit.

20 73. Admit.

21 74. Lack knowledge or information sufficient to form a belief about the truth of the first
22 sentence. Deny the second sentence.

23 75. Admit the first and second sentences. Deny the third sentence.

24 76. Lack knowledge or information sufficient to form a belief about the truth of the paragraph.

25 77. Admit the first sentence. Deny the second and fourth sentences. Lack knowledge or
26 information sufficient to form a belief about the truth of the third and fifth sentences.

27 78. Deny any suggestion that the Department of War is using Claude to surveil U.S. persons at
28 scale or to field weapons systems that may kill without human oversight; otherwise, lack knowledge or

1 information sufficient to form a belief about the truth of the first sentence. Lack knowledge or information
2 sufficient to form a belief about the truth of the second sentence.

3 79. Deny.

4 80. Admit.

5 81. Admit.

6 82. Deny.

7 83. Deny the first sentence. For the second and third sentences, admit the cited article contains
8 the quoted language.

9 84. Deny the first sentence. Admit the second, third, and fourth sentences.

10 85. Admit that Secretary Hegseth met with Dr. Amodei on February 24, 2026; otherwise, deny
11 the first sentence. Deny the second, third, and fourth sentences.

12 86. For the first and second sentences, admit the cited article contains the quoted language.
13 Deny the third sentence.

14 87. Admit the first sentence. For the remainder of the paragraph, admit the cited source
15 contains the quoted language.

16 88. Admit.

17 89. Admit.

18 90. Deny the characterization of the Secretary's social media post as the "Secretarial Order";
19 otherwise, admit.

20 91. For the first and second sentences, admit the quoted language is contained in the Secretary's
21 February 27 social media post; otherwise, deny. Deny the third sentence.

22 92. Admit the first and second sentences. For the third sentence, admit that GSA ended
23 availability of Anthropic services through contractors participating in GSA's "OneGov" program.

24 93. Admit the first and third sentences. For the second sentence, deny any allegation in the
25 regarding the Department of Health and Human Services inconsistent with the contents of the cited article;
26 admit that the Department of State acted to implement the President's directive in sending certain internal
27 communications. Lack knowledge or information sufficient to form a belief about the truth of the fourth
28 sentence.

1 94. Lack knowledge or information sufficient to form a belief about the truth of this paragraph.

2 95. Deny.

3 96. Deny.

4 97. Deny the first sentence. Lack knowledge or information sufficient to form a belief about
5 the truth of the second, fifth, and sixth sentences. For the third sentence, admit that FedRAMP is a U.S.
6 government-wide program that provides a standardized approach to security assessment, authorization,
7 and continuous monitoring for cloud products and services. For the fourth sentence, admit that the
8 Department of War has approved and continues to maintain a facility clearance for Anthropic and
9 clearances for a small number of Anthropic personnel.

10 98. Deny the first sentence. Admit the second and third sentences.

11 99. Deny.

12 100. Admit that some Department of War officials have expressed concerns; otherwise, deny
13 the first sentence. Deny the second sentence.

14 101. For the first sentence, deny that the President and Secretary Hegseth insisted that Claude
15 must remain available to the Department for six months; admit that another AI company agreed to “all
16 lawful uses.” Lack sufficient knowledge or information sufficient to form a belief about the truth of the
17 second sentence.

18 102. Deny.

19 103. Admit that the President said “Well, I fired Anthropic. Anthropic is in trouble because I
20 fired [them] like dogs, because they shouldn’t have done that.” Otherwise, deny.

21 104. Admit.

22 105. Admit the first sentence. Deny the second sentence.

23 106. Admit the first sentence. Deny the second sentence.

24 107. Deny.

25 108. Lack knowledge or information sufficient to form a belief about the truth of the first and
26 second sentences. Deny the third sentence.

27 109. Lack knowledge or information sufficient to form a belief about the truth of the paragraph.

28 110. Lack knowledge or information sufficient to form a belief about the truth of the paragraph.

111. Deny the first sentence. Admit the case is accurately quoted in the second sentence.

112. Deny the first, third, and fourth sentences. Lack knowledge or information sufficient to form a belief about the truth of the second sentence.

113. Defendants incorporate by reference their responses to the preceding paragraphs.

114. Admit the quotations are contained in 5 U.S.C. 706; otherwise, deny.

115. Admit the quotations are contained in Secretary of War's February 27, 2026 social media post; otherwise, deny.

116. Deny.

117. Admit the first and second sentences. For the third sentence, admit the Department of War's explanations were not contained in the Secretary's March 3, 2026 determination itself; otherwise, deny. For the fourth sentence, admit the Secretary's March 3, 2026 determination does not reference the Secretary's February 27, 2026 social media post; otherwise, deny.

118. Admit.

119. Deny.

120. Deny the first and second sentences. For the third sentence, admit the Secretary of War applies the definition of "supply chain risk" at 10 U.S.C. § 3252(d)(4); otherwise, deny.

121. Deny.

122. Deny the first sentence. For the second sentence, admit that in 15 C.F.R. § 791.4(a), the People's Republic of China, Republic of Cuba, Islamic Republic of Iran; Democratic People's Republic of Korea, Russian Federation, and Venezuelan politician Nicolás Maduro "constitute foreign adversaries solely for the purposes of" implementing Executive Order 13,873 (May 15, 2019); otherwise, deny any applicability to the challenged actions here. For the third sentence, admit that the Department of War has used Anthropic products since 2024; otherwise, deny. Deny the fourth and fifth sentences. Lack knowledge or information sufficient to form a belief about the truth of the sixth sentence.

123. Deny the first and fifth sentences. Admit the second, third, and sixth sentences. For the fourth sentence, admit the Secretary of War's March 3, 2026 determination under 10 U.S.C. § 3252 post-dated the February 27, 2026 social media post.

124. Admit the first sentence. Deny the second, third, and fifth sentences. For the fourth

1 sentence, admit the Secretary of War's February 27, 2026 social media post does not contain a
2 determination under 10 U.S.C. § 3252(d)(2)(A)-(B); otherwise, deny.

3 125. For the first sentence, admit that Secretary Hegseth described Claude's capabilities as
4 "exquisite." Admit the third sentence. Deny the second and fourth sentences.

5 126. Admit the Secretary of War's authority under 10 U.S.C. § 3252 is limited by the terms of
6 the statute; otherwise, deny.

7 127. Deny.

8 128. Deny the first and third sentences. For the second sentence, admit the Secretary of War's
9 determination under 10 U.S.C. 3252 discusses the statutory predicates; otherwise, deny.

10 129. Deny.

11 130. Deny the first, second, third, and fifth sentences. For the fourth sentence, admit that
12 Anthropic offered to facilitate the transition to a new AI provider; otherwise, deny. For the sixth sentence,
13 admit the Secretary of War's February 27, 2026 social media post and March 3, 2026 determination letter
14 do not identify or discuss "these alternatives."

15 131. Deny.

16 132. Deny.

17 133. Deny.

18 134. Defendants incorporate by reference their responses to the preceding paragraphs.

19 135. Admit.

20 136. Deny.

21 137. Admit the quoted language appears in the cited decisions.

22 138. Deny.

23 139. Deny.

24 140. Lack knowledge or information sufficient to form a belief about the truth of the paragraph.

25 141. Deny the first sentence. For the second sentence, admit the Usage Policy is posted on
26 Anthropic's website; otherwise, lack knowledge or information sufficient to form a belief about the truth
27 of the sentence. For the third sentence, admit the Usage Policy claims it "is calibrated to strike an optimal
28 balance between enabling beneficial uses and mitigating potential harms"; otherwise, lack knowledge or

1 information sufficient to form a belief about the truth of the sentence. Lack knowledge or information
2 sufficient to form a belief about the truth of the fourth sentence.

3 142. Admit.

4 143. Deny.

5 144. Admit the first, second, and third sentences. Deny the fourth and fifth sentences.

6 145. Deny the first, third, fourth, and fifth sentences. Admit the second sentence.

7 146. Deny the first, second, third, and fourth sentences. For the fifth sentence, admit the
8 Secretary's determination under 10 U.S.C. § 3252 and the Presidential Directive impact more than a single
9 contract; otherwise, deny.

10 147. Deny.

11 148. Admit the cited cases are accurately quoted; otherwise, deny.

12 149. Deny the first, second, and third sentences. Admit the fourth sentence.

13 150. Deny.

14 151. Deny.

15 152. Admit the first, second, third, fourth, and fifth sentences; otherwise, deny.

16 153. Deny.

17 154. Deny.

18 155. Admit the quoted language appears in the cited decisions; otherwise, deny.

19 156. Deny.

20 157. For the first sentence, admit the government has a compelling interest in addressing
21 genuine supply chain risks; otherwise, deny. For the second sentence, admit the government has a
22 compelling interest in obtaining AI services on its preferred terms; otherwise, deny. Deny the third
23 sentence. Admit the fourth sentence.

24 158. Deny.

25 159. Defendants incorporate by reference their responses to the preceding paragraphs.

26 160. Admit the cited cases are accurately quoted; otherwise, deny.

27 161. Deny.

28 162. Admit.

1 163. Deny.

2 164. Deny the first sentence. Admit the second, third, and fourth sentences. Lack knowledge
3 or information sufficient to form a belief about the truth of the fifth sentence. Deny the sixth sentence to
4 the extent Anthropic's allegation is contrary to the provisions of 48 C.F.R. subpart 9.4.

5 165. Deny.

6 166. Deny the first and second sentences. For the third sentence, admit that Article I, Section 9,
7 Clause 3 of the Constitution protects against bills of attainder; otherwise, deny that any action challenged
8 in this suit constituted a bill of attainder. For the fourth sentence, admit the quoted language appears in
9 the cited decision; otherwise, deny any applicability to this case.

10 167. Deny.

11 168. Defendants incorporate by reference their responses to the preceding paragraphs.

12 169. Admit.

13 170. Admit.

14 171. Deny.

15 172. Deny.

16 173. Deny.

17 174. Deny.

18 175. Deny.

19 176. Defendants incorporate by reference their responses to the preceding paragraphs.

20 177. For the first sentence, admit the quoted language appears in the cited statute; otherwise,
21 deny any applicability to this case. Admit the second sentence.

22 178. Deny.

23 179. For the first sentence, admit the quoted language appears in the Secretary of War's February
24 27, 2026 social media post; otherwise, deny. Deny the second sentence.

25 180. For the first sentence, admit that GSA removed Anthropic from the Multiple Awards
26 Schedule and USAi.gov on February 27, 2026; otherwise, deny. Admit the second and third sentences.

27 181. Deny any allegation inconsistent with the contents of the cited article.

28 182. For the first sentence, admit the Secretary of the Treasury's March 2, 2026 post on X states:

“At the direction of @POTUS, the @USTreasury is terminating all use of Anthropic products, including the use of its Claude platform, within our department. The American people deserve confidence that every tool in government serves the public interest, and under President Trump no private company will ever dictate the terms of our national security.” For the second sentence, admit the Department of State sent certain internal communications regarding system updates. For the third sentence, admit the director of the Federal Housing Finance Agency released a statement regarding the termination of the use of Anthropic products; deny the director released multiple statements.

183. Lack knowledge or information sufficient to form a belief about the truth of the paragraph.

184. Deny.

185. Deny.

186. For the first sentence, admit the cited decision contains the quoted language. Deny the second sentence.

187. Deny.

Prayer for Relief. Defendants deny that Plaintiff is entitled to the requested relief or to any relief whatsoever.

DEFENDANTS’ GENERAL AND AFFIRMATIVE DEFENSES

The Complaint fails to state a claim upon which relief can be granted.

Judicial review under the Administrative Procedure Act is unavailable because Plaintiff does not challenge a final agency action.

The Court lacks jurisdiction to enjoin the director of the Federal Housing Finance Agency in his capacity as conservator for Fannie Mae and Freddie Mac, under the Housing and Economic Recovery Act of 2008, 12 U.S.C. 4617(f).

To the extent Plaintiff’s claims may be barred by one or more affirmative defenses not specifically cited above and which cannot be determined at this time, Defendants incorporate all such affirmative defenses herein.

Dated: June 8, 2026

Respectfully submitted,

BRETT A. SHUMATE
Assistant Attorney General
Civil Division

ERIC J. HAMILTON
Deputy Assistant Attorney General

JEAN LIN
Special Litigation Counsel
Federal Programs Branch

/s/ James W. Harlow

JAMES W. HARLOW (Md. Bar; no number issued)
KRISTINA A. WOLFE (VA. Bar. 71570)
Senior Trial Counsel
CHRISTIAN DIBBLEE (D.C. Bar 90002557)
Trial Attorney
Federal Programs Branch
Civil Division
U.S. Department of Justice
1100 L Street, N.W.
Washington, D.C. 20005
(202) 514-6786
james.w.harlow@usdoj.gov