

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

RICHARD L. RYNEARSON,)	
)	
Plaintiff,)	
)	
vs.)	Civil Action No. 1:21-1000 (LO/MSN)
CHIEF MASTER SERGEANT JOANNE)	
S. BASS, in her official capacity,)	
)	
Defendant.)	

ANSWER

Pursuant to Federal Rule of Civil Procedure 8, Defendant, through her undersigned counsel, hereby respectfully submits her answer to the complaint in the above-captioned matter.

Defendant answers the allegations in the complaint’s numbered paragraphs as follows:

1. The allegations in the first sentence of this paragraph constitute a characterization of the action, to which no response is required. Defendant admits the allegation in the second sentence of this paragraph that there is an official Facebook page for the Chief Master Sergeant of the Air Force (“CMSAF”), which is associated with the tag “@CMSAFOfficial,” and categorizes the page as one for a “Government Official,” and which was established in 2013. Defendant denies the remaining allegations in the second sentence of this paragraph.

2. Defendant denies the allegations in the first sentence of this paragraph. Defendant admits the allegation in the second sentence of this paragraph that information about official Air Force business and events are posted on the Facebook page. Defendant denies the remaining allegations in the second sentence of this paragraph. Defendant admits the allegation in the third sentence of this paragraph to the extent that Facebook users may post in the moderated forum, and that the CMSAF account can ban users from doing so or can delete comments. Defendant

denies the remaining allegations in the third sentence of this paragraph. Defendant admits the allegation in the fourth sentence of this paragraph to the extent that the page is publicly searchable, that the page shows comments that have different viewpoints, and that individuals without a Facebook account are unable to comment on the page. Defendant denies the remaining allegations in the fourth sentence of this paragraph. The allegation in the fifth sentence of this paragraph constitutes a legal conclusion to which no response is required, but to the extent a response is required, Defendant denies the allegation.

3. Defendant admits the allegation in the first sentence of this paragraph that Plaintiff is a blogger who has written about the United States Air Force, sometimes critically. Defendant lacks knowledge or information sufficient to form a belief as to truth of the allegations regarding the quantity of his blog posts. Defendant admits the allegation in the second sentence of this paragraph that in November 2020, Plaintiff commented on a post made by the CMSAF Facebook account. Defendant denies the remaining allegations in the second sentence of this paragraph. Defendant admits the allegation in the third sentence of this paragraph that Plaintiff was banned from making further comments on the CMSAF page by Air Force personnel, and thus his comments were no longer visible. Defendant denies the remaining allegations in the third sentence of this paragraph.

4. Defendant denies the allegations in the first sentence of this paragraph. The allegations in the second sentence of this paragraph constitute legal conclusions and/or Plaintiff's characterizations of this action, to which no response is required. To the extent that a response is required, Defendant denies the allegations in the second sentence of this paragraph.

JURISDICTION AND VENUE¹

5. This paragraph contains legal conclusions to which no response is required.

6. Defendant admits that Chief Bass works at the Pentagon. The remaining allegations in this paragraph constitute legal conclusions to which no response is required.

PARTIES

7. Defendant admits the allegation in this paragraph that Plaintiff is a blogger. Defendant lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations in this paragraph.

8. Defendant admits the allegation contained in the first, second, third, and fourth sentences of this paragraph. Defendant denies the allegations contained in the fifth sentence of this paragraph.

FACTUAL BACKGROUND

9. Defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations contained in the first sentence of this paragraph. Defendant admits the allegations contained in the second sentence of this paragraph. Defendant admits the allegations in the third sentence of this paragraph to the extent that in certain, but not all circumstances, Facebook users are able to respond to, comment on, and interact with others regarding their posts. Defendant denies the remaining allegations contained in the third sentence of this paragraph.

10. Defendant admits the allegation in the first sentence of this paragraph to the extent that a profile is a page that can be connected with a Facebook account. Defendant lacks knowledge or information sufficient to form a belief as to the truth as to Plaintiff's allegations regarding the

¹ Defendant includes the headings from Plaintiff's complaint for clarity only. The inclusion of those headings in this answer should not be construed as an admission of any kind by Defendant.

“typical” use of a page. Defendant denies the remaining allegations in the first sentence of this paragraph. The second sentence of the paragraph quotes a Facebook help page, which speaks for itself on this score, and is the best evidence of its contents. To the extent that the allegations in the second sentence of this paragraph are inconsistent with the quoted page, Defendant denies the same.

11. The allegations in this paragraph quotes a Facebook help page, which speaks for itself on this score, and is the best evidence of its contents. To the extent that the allegations in this paragraph are inconsistent with the quoted page, Defendant denies the same.

12. Defendant admits the allegations in the first and second sentences of this paragraph. Defendant admits the allegation in the third sentence of this paragraph that posts may be made by other users and that they must be permitted to do so by the owner of the page but denies that this is the only limitation on a user’s ability to post.

13. Defendant admits the allegations in the first two sentences of this paragraph. Defendant admits the allegation in the third sentence of this paragraph that replies appear under the post to which they respond. Defendant denies the remaining allegations in the third sentence of this paragraph.

14. The allegations in this paragraph paraphrase a Facebook help page, which speaks for itself and is the best evidence of its contents. To the extent the allegations in this paragraph conflict with the contents of the paraphrased page, Defendant denies the same.

15. Defendant admits the allegation contained in the first sentence of this paragraph to the extent that an owner of a Facebook page can moderate the page’s content and that Facebook has separate control that it may exercise over a page. Defendant denies the remaining allegations in the first sentence of this paragraph. Defendant admits the allegation contained in the second

sentence of this paragraph to the extent that a page's owner can hide or delete posts made by other users, individual comments on these posts, and individual replies to those comments. Defendant admits the allegation contained in the third sentence of this paragraph. Defendant admits the allegations contained in the fourth sentence of this paragraph to the extent that a banned user can view posts by the owner or other users on the page but cannot comment or post on a page from which he was banned. Defendant denies the remaining allegations in the fourth sentence of this paragraph. Defendant admits the allegation in the fifth sentence of this paragraph to the extent that an owner of a page can decide whether to delete comments on that page at any time but denies that this decision is specifically tied to the separate action of banning a user from the page.

16. Defendant admits the allegations in the first and second sentences of this paragraph.

17. Defendant admits the allegations in the first sentence of this paragraph. Defendant admits the allegation in the second sentence of this paragraph to the extent that the CMSAF page is not Chief Bass's personal Facebook profile.

18. Defendant admits the allegation in the first sentence of this paragraph that the category for the page is "Government Official" and that the tag for the page is @CMSAFOfficial. Defendant denies the allegations in the second and third sentences of this paragraph. Defendant admits the allegations contained in the fourth sentence of this paragraph.

19. Defendant denies the allegation in this paragraph that Chief Bass regularly uses the Facebook page or that the page puts forth policy objectives. Defendant admits the remaining allegations in this paragraph.

20. Defendant admits the allegations contained in the first sentence of this paragraph to the extent that the CMSAF page is publicly accessible even for individuals without a Facebook

account. Defendant denies the remaining allegations in the first sentence of this paragraph.

Defendant admits the allegations contained in the second sentence of the paragraph to the extent that users with a Facebook account who have been banned may submit a comment to the page, and that certain posts on the CMSAF Facebook page have generated 100 or more comments.

Defendant denies the remaining allegations in the second sentence of this paragraph.

21. The allegations in this paragraph quote from the CMSAF Page's past comment policy, which speaks for itself and is the best evidence of its contents. To the extent the allegations in this paragraph conflict with the policy, Defendant denies the same.

22. Defendant admits the allegation in the first sentence of this paragraph to the extent that Plaintiff had made fewer than ten comments on the CMSAF page before November 22, 2020. Defendant admits the allegations in the second sentence of this paragraph.

23. The allegations in the first sentence of this paragraph quote from and paraphrase a November 22, 2020 post on the CMSAF page, which speaks for itself and is the best evidence of its contents. To the extent the allegations in the first sentence of this paragraph conflict with the CMSAF post, Defendant denies the same. Defendant admits there were multiple comments that followed that post. Defendant denies the remaining allegations in the second sentence of this paragraph.

24. The allegations contained in the first sentence of this paragraph constitute Plaintiff's characterization of comments on the CMSAF page. The allegations contained in the second sentence of this paragraph characterize and quote from a comment, which speaks for itself and is the best evidence of its contents. To the extent the allegations in the second sentence of this paragraph conflict with the post, Defendant denies the same.

25. The allegations in this paragraph paraphrase Plaintiff's comment on the CMSAF page,

which speak for themselves and are the best evidence of their contents. To the extent the allegations in this paragraph conflict with the comment, Defendant denies the same.

26. The allegation in this paragraph describes the CMSAF response to Plaintiff's comment on the CMSAF page, which speaks for itself and is the best evidence of its contents. To the extent the allegations in this paragraph conflict with the response, Defendant denies the same.

27. Defendant admits the allegation in the first sentence of this paragraph that other Facebook users responded to Plaintiff's and the CMSAF's posts. Defendant denies the remaining allegations in the first sentence of this paragraph. Defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations in the second sentence of this paragraph. The allegations set forth in the third sentence of this paragraph are Plaintiff's characterization of his comments and the responses they received. To the extent a response is required, Defendant denies the allegations set forth in the third sentence.

28. The allegations set forth in this paragraph quote from a response posted on the CMSAF Facebook page, which speaks for itself and is the best evidence of its contents. To the extent the allegations in this paragraph conflict with the contents of the response, Defendant denies the same.

29. Defendant admits the allegation in this paragraph to the extent that Plaintiff was banned from the CMSAF page on November 22, 2020, which removed his ability to comment on the page. Defendant denies the remaining allegations in this paragraph.

30. The allegations contained in the first sentence quote from a message that plaintiff drafted to the CMSAF, which speaks for itself and is the best evidence of its contents. To the extent Plaintiff's allegations conflict with this message, Defendant denies the same. Defendant lacks information or knowledge sufficient to form a belief as to the truth of the remaining allegations

in the first sentence of this paragraph. Defendant lacks information or knowledge sufficient to form a belief as to the truth of the allegation in the second sentence of this paragraph.

31. Defendant denies the allegations set forth in this paragraph.

32. Defendant admits the allegations in this paragraph only to the extent that Plaintiff was banned from the CMSAF page on November 22, 2020, which made him unable to comment on or message the page. Defendant denies the remaining allegations in this paragraph.

33. The allegations contained in the first sentence quote from a message that plaintiff drafted to the CMSAF, which speaks for itself and is the best evidence of its contents. To the extent Plaintiff's allegations conflict with this message, Defendant denies the same. Defendant lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations in this paragraph.

34. Defendant admits that Plaintiff is banned from the CMSAF page and unable to comment on the page. Defendant denies the remaining allegations in this paragraph.

35. The first sentence of this paragraph quotes, in part, the CMSAF page comment policy in effect in November 2020, which speaks for itself and is the best evidence of its contents. To the extent the allegations in the first sentence of this paragraph conflict with the comment policy, Defendant denies the same. Defendant admits the allegation that Plaintiff was banned from the CMSAF webpage, but denies the remaining allegations in this paragraph.

36. Defendant admits the allegation in this paragraph only to the extent that the Air Force did not provide Plaintiff with a reason for why he was banned. Defendant denies the remaining allegations in this paragraph.

37. Defendant denies the allegations in the first sentence of this paragraph. The allegations in the second and third sentences of this paragraph are legal conclusions, to which no response is

required. To the extent a response is required, Defendant denies these allegations.

38. To the extent the allegations in the first sentence of this paragraph quote from a comment on the CMSAF page, which speaks for itself on this score and is the best evidence of its contents. Defendant admits that Mr. Degnan was not banned from the CMSAF page, did not have all of his comments on the page deleted, and that the comment was not in accordance with the comment policy, but denies the remaining allegations in the first sentence of this paragraph. Defendant denies the allegations in the second sentence of this paragraph. Defendant admits the allegation in the third sentence of this paragraph only to the extent that the CMSAF could have deleted Mr. Degnan's reply individually. Defendant denies the remaining allegations in the third sentence of this paragraph.

39. The remaining allegations in this paragraph quote from Plaintiff's message, which speaks for itself and is the best evidence of its contents. To the extent the allegations in this sentence conflict with the message, Defendant denies the same. Defendant lacks knowledge or information sufficient to form a belief as to the truth of the date on which Plaintiff sent the message.

40. The first sentence of this paragraph characterizes Plaintiff's message to the Air Force, which speaks for itself on this score and is the best evidence of its contents. To the extent Plaintiff's allegation conflicts with his message, Defendant denies the same. Defendant admits the allegations contained in the second sentence of this paragraph to the extent that the Air Force has not responded to this message.

41. Defendant admits the allegation in the first sentence of this paragraph to the extent that the CMSAF page has updated its comment policy. The allegations in the second and third sentences quote portions of the updated comment policy, which speaks for itself on this score

and is the best evidence of its contents. To the extent the allegations in the second and third sentences conflict with the updated policy, Defendant denies the same.

FIRST CLAIM FOR RELIEF

42. Defendant incorporates its responses to paragraphs 1-41 by reference.

43. The allegations in this paragraph constitute legal conclusions to which no response is required. To the extent a response is required, Defendant denies the allegations in this paragraph.

44. Defendant admits the allegation contained in this paragraph that Plaintiff was banned from the CMSAF page. Defendant denies the remaining allegations in this paragraph.

45. The allegations in this paragraph constitute legal conclusions and/or a characterization of Plaintiff's position, to which no response is required. To the extent a response is required, Defendant denies the allegations in this paragraph.

SECOND CLAIM FOR RELIEF

46. Defendant incorporates its responses to paragraphs 1-45 by reference.

47. The allegations in this paragraph constitute legal conclusions and/or a characterization of Plaintiff's position, to which no response is required. To the extent a response is required, Defendant denies the allegations in this paragraph

The remainder of this complaint constitutes a prayer for relief, to which no response is required. To the extent a response is required, Defendant denies that Plaintiff is entitled to the relief he seeks.

Defendant denies all allegations not specifically admitted.

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

RICHARD L. RYNEARSON,)
)
 Plaintiff,)
)
 vs.)
 CHIEF MASTER SERGEANT JOANNE)
 S. BASS, in her official capacity,)
)
 Defendant.)

Civil Action No. 1:21-1000 (LO/MSN)

CERTIFICATE REPORTING SERVICE

Pursuant to the Local Civil Rule 4(A), the United States Attorney certifies that on October 13, 2021, the United States Attorney’s Office received a copy of the Summons and Complaint in this case. These documents were delivered via Certified Mail, with a postmark dated October 7, 2021.

Dated: December 6, 2021

Respectfully submitted,

JESSICA D. ABER
UNITED STATES ATTORNEY

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**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

RICHARD L. RYNEARSON,

Plaintiff

v.

**CHIEF MASTER SERGEANT JOANNE
S. BASS, in her official capacity,**

Defendant.

**COMPLAINT
(For injunctive and declaratory relief; violation of First Amendment rights)**

1. This case is about the right to criticize the policies of a government agency in an online public forum without being censored. The office of the Chief Master Sergeant of the Air Force (“CMSAF”) established an official Facebook page years ago (“CMSAF Page”), designated with the tag “@CMSAFOfficial” and categorized as “Government Official,” which invites public comment and discussion on matters of public concern.

2. The CMSAF Page is an important forum for the expression of views and opinions about the CMSAF office and its responsibilities and Air Force policies. The current CMSAF, Defendant Chief Master Sergeant, JoAnne S. Bass, posts on the Page about official Air Force business and events. Facebook users are entitled, unless prevented by Chief Bass, to comment on these posts. Any member of the public (including those without a Facebook account who, though unable to comment, can nonetheless view the CMSAF Page) are thus able to review and consider the viewpoints—often competing—expressed on the CMSAF Page. Under governing law, the CMSAF Page thus qualifies as a public forum under the First Amendment.

3. Plaintiff Richard L. Rynearson is a blogger who has often written about United States Air Force culture and policy, sometimes critically. In November 2020, he made a comment critical of Air Force policy on a post by Chief Bass. After the comment engendered a substantial amount of discussion, Chief Bass, alone or in conjunction with members of a Public Affairs team under her supervision, deleted Plaintiff's comment from the CMSAF Page and banned Plaintiff from being able to comment again on that page.

4. Defendant thereby impermissibly censored Plaintiff based on the content of his speech and his viewpoint. Plaintiff respectfully requests that the Court enter judgment declaring that Defendant's continuing exclusion of Plaintiff from the CMSAF Page violates the First Amendment of the U.S. Constitution, enjoining Defendant from engaging in unlawful censorship of comments, and mandating that Defendant restore Plaintiff's comment and ability to comment on the CMSAF Page.

JURISDICTION AND VENUE

5. The Court has jurisdiction over this action pursuant to 28 U.S.C. § 1331 and 28 U.S.C. §§ 2201–2202.

6. Venue is proper in the Eastern District of Virginia under 28 U.S.C. § 1391(e)(1) because Defendant performs her official duties at the Pentagon, which is located in Arlington County within this District.

PARTIES

7. Plaintiff has blogged for more than a decade about the United States Air Force, service culture, service policy, and the importance of Air Force officials following constitutional law.

8. Defendant Chief Master Sergeant JoAnne S. Bass is the Chief Master Sergeant of the Air Force. She represents the highest enlisted level of leadership in the Air Force, provides

direction for the enlisted force, and represents their interests to the American public and to those in all levels of government. Chief Bass advises the Chief of Staff and the Secretary of the Air Force on all issues regarding the welfare, readiness, morale, and proper utilization of more than 600,000 enlisted members of the Air Force. As such, Chief Bass is responsible for government functions within the USAF. Her governmental functions include adopting policies concerning official public social media forums and managing those forums, including the official CMSAF Page.

FACTUAL BACKGROUND

Relevant Features of the Facebook Social Media Platform

9. Facebook is a social media platform with approximately 2.27 billion monthly users worldwide, including approximately 214 million users in the United States. The site allows users to upload content—including text, news articles, photos, and video. It also permits other users to respond to, comment on and interact with others in relation to such content.

10. A profile is the home page of a Facebook account typically used by private individuals. It is “a place on Facebook where you can share information about yourself, such as your interests, photos, videos, current city and hometown.” *See* Facebook, What’s the difference between a profile, Page, and group on Facebook? https://www.facebook.com/help/337881706729661?helpref=faq_content.

11. In contrast to a “profile,” a Facebook “page” is a way for “public figures, businesses, brands, organizations and nonprofits” to “connect with their fans or customers.” *Id.*

12. The content that a Facebook user shares with friends, followers or the public is called a “post.” Posts can be made by the owner of a profile or a page. Posts may be made by other users who visit a page only if the owner of the page permits the post.

13. Facebook users can respond to or comment on posts, unless not permitted to do so. This is called “replying” or “commenting.” Replies appear immediately under the post to which

they respond, thereby reflecting the interaction of ideas or viewpoints that the Facebook page or profile is intended to foster.

14. To mention a page in a post or reply, a Facebook user types the page's tag, which is the @ symbol followed by the page's name. *See* Facebook: How do I mention people, Pages or groups in a post or comment on Facebook? <https://www.facebook.com/help/218027134882349>.

15. An owner of a Facebook page has the ability to independently control its content, separate and apart from any controls Facebook may exercise. They may hide or delete posts made by other users, individual comments on those posts, and individual replies to those comments. They may also "ban" a user from posting on the page. A banned user remains able to view posts by the owner or other users on the page, but is barred from commenting, posting, or otherwise contributing to the page, and is thereby excluded from participation in the online dialogue or debate. When a page owner bans someone from a page, the owner may choose whether or not to delete all of the individual's past comments.

The CMSAF Page

16. The CMSAF Page was created in 2013 and used for years by prior Chief Master Sergeants of the Air Force. Upon information and belief, the name of the page has been changed to reflect the name of the incumbent CMSAF each time a new person has assumed the CMSAF position.

17. Chief Bass assumed the position of Chief Master Sergeant of the Air Force in August 2020 and took over control and operation of the CMSAF Page at that time. The CMSAF Page is distinct from Chief Bass's personal Facebook profile.

18. The CMSAF Page uses the tag "@CMSAFOfficial" and is categorized as "government official." The Page states that "This is the official FB page of CMSAF JoAnne S.

Bass. Managing the page is a team effort but the words posted here are 100% hers.” The Page further states that it “exists to encourage open discussion and dialogue but should also be family friendly.” (Exhibit 1). The CMSAF Page has over 150,000 followers.

19. Chief Bass regularly and primarily uses the Facebook page to promote official Air Force events, to discuss Air Force priorities and initiatives, to share positive stories about the Air Force and Airmen she has met on tours to different bases, and in support of Air Force policy objectives such as recruiting and community outreach.

20. The CMSAF Page is accessible by the general public and no Facebook account is needed to see the content or the public discussion. Any user who has a Facebook account may comment, unless the Page has chosen to ban them from commenting, and many posts draw more than one hundred comments, and sometimes far more than that.

21. The CMSAF Page displays “rules” for the page which, at the relevant time, concluded with “We reserve the right, in our sole discretion, to terminate your access to this forum for any reason, with or without notice.” (Exhibit 2)

Plaintiff’s Criticism of the Air Force on the CMSAF Page

22. Prior to 22 November 2020, Plaintiff had made only a few comments on the CMSAF Page. There was no response from the CMSAF Page to the comments.

23. On 22 November 2020, Chief Bass posted a picture and commentary stating that she was thankful for the people who “make up the strongest Air Force in the world” and encouraging people to think about what they were thankful for. This led to multiple comments from the public on that topic (Exhibit 3).

24. Some of the public comment was lighthearted; other comments were more critical of the Air Force or CMSAF Bass’s leadership. For example, one commenter named “Barb Ridge”

responded to the post with “I am thankful that this E-9 can’t be messing with much in the way of Air Force policy because she is too busy playing on social media.” (Exhibit 4).

25. Plaintiff posted a response to Chief Bass saying he was thankful other military services were concentrating on the wartime mission so that the Air Force could concentrate on being the world’s best “Day Care, concentrating on our feelings and making sure we all feel good about ourselves.” He objected to the Air Force “concentrating on our core mission to ensure nobody is offended or feels like a victim,” and his post included a link to an image of Care Bears (Exhibit 3).

26. Chief Bass responded to Plaintiff’s comment, stating “you couldn’t be more wrong, my friend.” (Exhibit 3)

27. Several other members of the public engaged with either Chief Bass or Plaintiff on the thread created by Plaintiff’s comment. Plaintiff’s comment generated the most engagement, interaction, and public discussion of any comment on Chief Bass’ original post. Much of the discussion involved debate between Plaintiff and others regarding whether the Air Force had begun focusing too much on equity or feelings, as compared to mission accomplishment. (Exhibit 3)

28. As part of the responses, one person by the name of Aaron Degnan responded, “I would kinda like to show Rick Rynearson some of the violence and messy stuff so that he would learn to shut his mouth when he talks to CMSAF.” (Exhibit 3).

Defendants’ Banning of Plaintiff and Deletion of Comments

29. Within approximately four to five hours of Plaintiff’s initial comment about being thankful for the other services’ focus on warfighting, Chief Bass or a member of her Public Affairs team acting under her supervision or direction removed Plaintiff’s ability to comment in the thread.

30. Moments thereafter, Plaintiff clicked the “message” button at the top of the Facebook page and wrote, “Chief, I just want to make sure there isn’t a glitch on your Facebook page. It is telling me that I no longer have permission to comment. If this is the case, I will be filing suit against you and the Air Force for violating the First Amendment, so I hope that is not the case.” (Exhibit 5). This was the first message Plaintiff attempted to send to the CMSAF Page.

31. Chief Bass or a member of her team then deleted Plaintiff’s comment, which automatically deleted all of the replies to it, including his own replies.

32. Shortly thereafter, Chief Bass, or a member of her team, deleted all comments by Plaintiff from the page (to include the previous few comments prior to 22 November); removed Plaintiff’s ability to comment on the Facebook page altogether; and removed his ability to message the CMSAF Page (as reflected by the “message” button at the top of the Facebook page no longer appearing) (Exhibit 5).

33. On 23 November 2020, Plaintiff attempted to message the CMSAF Page again through the thread in his Messenger history, stating, “Chief Bass, I just wanted to give you another opportunity to unblock me from the official CMSAF page to avoid me filing a lawsuit on you for using your official office to violate my First Amendment rights.” The message did not go through and displayed “This person isn’t available right now” (Exhibit 5).

34. As of the filing of this lawsuit, Plaintiff remains banned from the CMSAF Page, and thereby unable to comment, contribute or participate in any of the discussions and debates occurring on that forum.

Defendant’s Reasons for Banning Plaintiff and Deleting His Comments

35. At the time Plaintiff was blocked, the CMSAF Page expressly stated that “we reserve the right, in our sole discretion, to terminate [a commenter’s] access to this forum for any

reason.” Chief Bass, alone or with a member of her team under her supervision, deleted Plaintiff’s comments and banned Plaintiff because of the comments’ content and viewpoint.

36. No reason or justification was provided to Plaintiff for his comments being deleted or him being blocked from posting on the CMSAF Page.

37. Plaintiff’s comments did not violate any of the rules then stated on the CMSAF Page (Exhibit 2). In addition, some aspects of the rules discriminate based on content and viewpoint. *See, e.g., Matal v. Tam*, 137 S. Ct. 1744, 1763 (2017) (“Giving offense is a viewpoint.”).

38. A commenter who did violate the rules, Aaron Degnan, who replied that he would like to show Plaintiff “some of the violence and messy stuff so that he would learn to shut his mouth when he talks to CMSAF,” was not banned from the CMSAF Page and did not have all of his comments on the page deleted. His reply to Plaintiff was deleted only because Plaintiff’s comment was deleted. Chief Bass could have deleted Degnan’s individual reply without deleting Plaintiff’s comment.

Subsequent Events

39. On 27 November 2020, Plaintiff sent a message through the “Air Force Public Inquiries” section of the “Contact Us” page on the www.af.mil website stating “I just wanted to reiterate to Chief Bass, as I have stated to her in a message on Facebook sent on 22 November 2020, that her recent decision to censor my content from the @CMSAFOfficial Facebook page, and to block my ability to comment on that page, is a violation of the First Amendment whether done by her or by a member of her staff. I request that she unblock me and return my deleted comments to the page. Doing so in a timely fashion will avoid the filing of a federal lawsuit to seek a remedy for the violation of my First Amendment rights and will mitigate any bad press

directed at the United States Air Force. I request this message be passed to Chief Bass and request a response from Chief Bass about this issue as soon as possible. Thank you.” (Exhibit 6).

40. Plaintiff checked the “Contact me: A response is requested” checkbox on the form and the website indicated the message “was successfully submitted.” (Exhibit 6). As of the date of this complaint, no response has been received.

41. At some point thereafter, the CMSAF Page updated its “rules.” The new rules provide that “[t]his is a moderated forum,” and the “Air Force alone will determine which comment will be posted.” In addition, the new rules prohibit “comments that contain abusive or vulgar language, hate speech, personal attacks, [and] comments that violate equal employment opportunity policy or are offensive to others.” (Exhibit 7).

FIRST CLAIM FOR RELIEF

(Violation of the First Amendment; declaratory and injunctive relief)
(Censorship in a public forum)

42. Plaintiff repeats each of the foregoing paragraphs as if fully set forth herein.

43. The CMSAF Page constitutes a public forum or a limited public forum under the United States Constitution.

44. At the time Chief Bass banned Plaintiff from the CMSAF Page, and deleted his comments, she was acting in her official capacity and performing governmental functions.

45. Chief Bass violated the First Amendment when she deleted Plaintiff’s comments and banned him from the CMSAF Page on account of the content and viewpoint of his constitutionally protected speech. Banning Plaintiff from commenting on the CMSAF Page infringes on Plaintiff’s First Amendment right to participate in discussions in the public forum established by the USAF and controlled by Chief Bass.

SECOND CLAIM FOR RELIEF

(Violation of the First Amendment; declaratory and injunctive relief)
(Facial challenge)

46. Plaintiff repeats each of the foregoing paragraphs as if fully set forth herein.

47. Defendant's express policy of barring comments that "contain abusive or vulgar language, hate speech, personal attacks, [and] comments that violate equal employment opportunity policy or are offensive to others" violates the First Amendment on its face and by its overbreadth.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff requests that the Court:

(a) Declare that by banning Plaintiff from the CMSAF Page, and by deleting his comments, Defendant violated Plaintiff's rights under the First Amendment of the United States Constitution; (b) Enter an injunction requiring Defendant to restore Plaintiff's deleted comments, unblock Plaintiff from the CMSAF Page, and prohibiting Defendant from blocking Plaintiff from the CMSAF Page or deleting his comments on the basis of viewpoint; (c) Enjoin Defendant from applying the policy that ostensibly permits Defendant to ban any content that is "offensive to others"; (d) Award Plaintiff his costs, including reasonable attorneys' fees, pursuant to 28 U.S.C. § 2412; and (e) Grant any additional relief as may be just and proper.

Dated: August 27, 2021

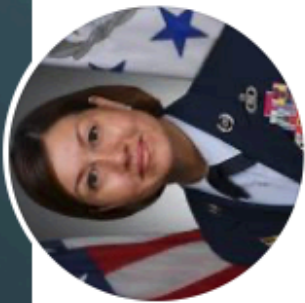
Respectfully submitted,

/s/

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Juris Day
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Michael E. Rosman (pro hac vice motion forthcoming)
Center for Individual Rights
1100 Connecticut Ave., Suite 625
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EXHIBIT 1



CMSAF JoAnne S. Bass

@CMSAFOfficial · Government Official

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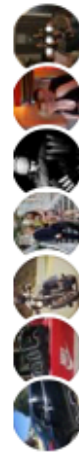
About

[See All](#)

i This is the official FB page of CMSAF JoAnne S. Bass. Managing the page is a team effort but the words posted here are 100% hers.

i The page exists to encourage open discussion and dialogue, but should also be family friendly. Please keep your comments and wall posts clean. In addi... [See More](#)

👍 153,641 people like this including 32 of your friends



👤 166,870 people follow this

🌐 <http://www.af.mil/AboutUs/AirForceSenio>



CMSAF JoAnne S. Bass

November 26 at 10:47 PM · 🌐

From my family to yours, we wish you a wonderful & safe Thanksgiving weekend.

Our continued thoughts & prayers are with our deployed service members & their families. And as always, ops never stops...we are grateful for our Airmen working shifts and keeping the mission going. Our Air Force and nation are better because of your service...and Americans everywhere are forever grateful for your sacrifice. I know I am.... [See More](#)



HAPPY THANKSGIVING

EXHIBIT 2



CMSAF JoAnne S. Bass



grateful for our Airmen working shifts and keeping the mission going
Our Air Force and nation are better because of your service...and
Americans everywhere are forever grateful for your sacrifice. I know
am.... **See More**

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126 Comments 49 Shares

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Most Relevant



Doug Jenney



CMSAF JoAnne S. Bass



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Most Relevant ▾



Doug Jenney

Happy Thanksgiving, Chief. This retired Msgt would do it all again, if asked. Fly Fight Win.

1d



View more comments

1 of 126



CMSAF JoAnne S. Bass ✓

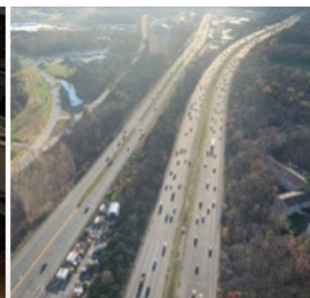
November 25 at 11:37 AM · 🌐



Nothing like a helicopter ride in the afternoon...

Thanks 316th Operations Group, Operations Support Squadron, and 1st Helicopter Squadron for the immersion.

Lots of goodness going on in the OG...thanks for all you do in support of the NCR and national security. ... **See More**





CMSAF JoAnne S. Bass

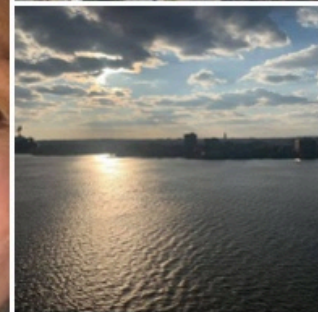


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3.8K

95 Comments 71 Shares



CMSAF JoAnne S. Bass



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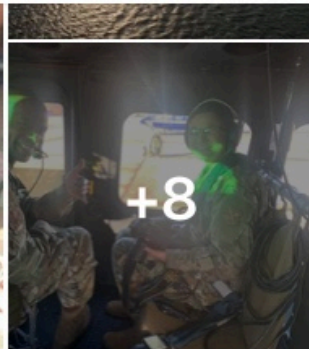
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Government Official



3.8K

95 Comments 71 Shares

Share

Most Relevant



Philip Leonard

Super proud of our Career Enlisted Aviators and the 1st Heli!

7

1d

1 Reply

View more comments

1 of 74



CMSAF JoAnne S. Bass

EXHIBIT 3



CMSAF JoAnne S. Bass ✓

55m · 🌐

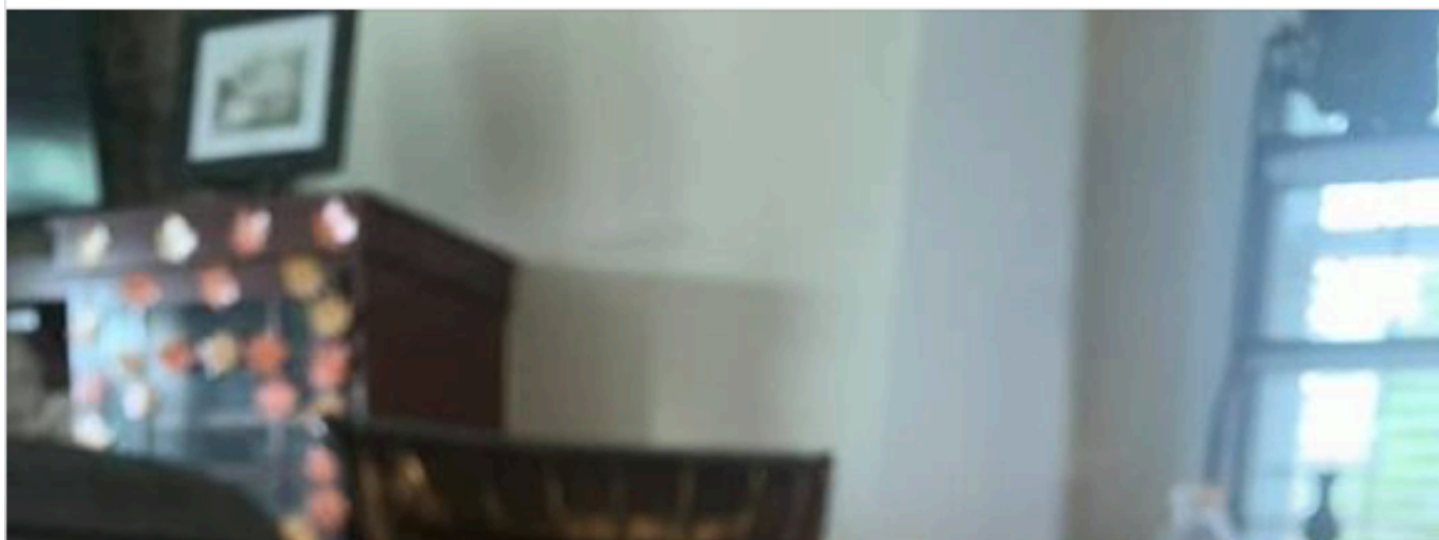


It's been our family tradition that every November, we share (daily) something we are thankful for. We write it on a paper leaf, and tape it somewhere in the house. It's a small act, but a good reminder to look at the positive and acknowledge it.

As we enter into Thanksgiving week, and while 2020 has been challenging on so many levels...there is still much to be thankful for.

And there's not a day that goes by that I'm not thankful for each of YOU. The people, Airmen and families, that make up the strongest Air Force in the world.

Take time this week to think about what you are thankful for. Reach out to those you love, let them know. Connect with your wingmen, and check on a neighbor...if not physically, virtually. We need each other more now than ever. [#bettertogether](#) [#thankful](#) [#AFfamily](#) [#strongAirmen](#) [#connectedness](#) [#team19](#)



write a comment...



Rick Rynearson

I'm thankful the other services concentrate on the application of violence and wars and messy stuff like that, so that our Air Force is safe to be the world's best Day Care on social media, concentrating on our feelings and making sure we all feel good about ourselves. I am thankful the phrase "air power" has now been replaced with **#CarePower** and we are finally concentrating on our core mission to ensure nobody is offended or feels like a victim. So thank you, Chief!



Like · Reply · 5m

Most Relevant is selected, so some replies may have been filtered out.



Rick Rynearson
Care Power!

<https://external-content.duckduckgo.com/iu/...>



EXTERNAL-
CONTENT.DUCKDUCKGO.COM
external-
content.duckduckgo.com



Like · Reply · Remove Preview · 3m



Write a reply...



Krista Ludwigsen

I am thankful for **Lynn Clark & Jennifer Spencer**

Day Care on social media, concentrating on our feelings and making sure we all feel good... **See More**

Like · Reply · 42m



↳ View 1 more reply



 Author

CMSAF JoAnne S. Bass 

Rick Rynearson you couldn't be more wrong, my friend. Our most precious weapon systems is our people. While we are in the business of war fighting, protecting our homeland, deterring our adversaries...it's our people that make it happen. Appreciation goes a long way. That's leadership 101.

Like · Reply · 1m



Rick Rynearson

CMSAF JoAnne S. Bass you are right, our most precious weapon system is our people. And like any of our assets, if you don't take care of it properly (ie make it feel entitled and like a victim, or leave it in the rain to rust) you will degrade its ability to do the job. That is common sense 101. Cheers.

Like · Reply · 1m



Write a reply...





Rick Rynearson

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Like · Reply · 46m



Top Fan

L van Taylor

Rick Rynearson just curious...have you ever been in the military or a first responder?

Like · Reply · 13m



Rick Rynearson

L van Taylor my bio is on the upper right side of my blog if you are interested in my experience. Cheers.

<http://www.pickyourbattles.net>



PICKYOURBATTLES.NET
Pick Your Battles



Like · Reply · Remove Preview · 10m

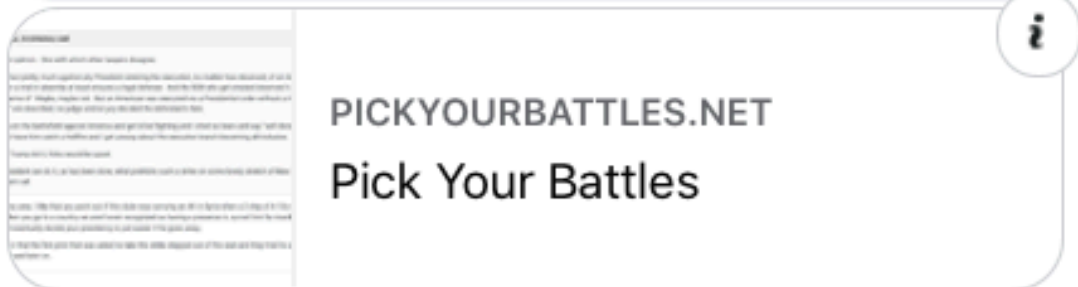
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Rick Rynearson

L van Taylor my bio is on the upper right side of my blog if you are interested in my experience. Cheers.

<http://www.pickyourbattles.net>



Like · Reply · Remove Preview · 17m



Scott Marcum

L van Taylor... Seems like this guy is nothing more than a disgruntled individual attempting to bait the CMSAF into an argument on social media in order to get his ridiculous blog some public exposure from followers on her social media page.

What a pathetic joke!!

Like · Reply · 8m



Rick Rynearson

Scott Marcum another theory is that L van Taylor asked me about my military experience and I answered his query.

Like · Reply · 2m

Most Relevant is selected, so some replies may have been filtered out.

PICK YOUR BATTLES

Like · Reply · Remove Preview · 19m



Scott Marcum

L van Taylor... Seems like this guy is nothing more than a disgruntled individual attempting to bait the CMSAF into an argument on social media in order to get his ridiculous blog some public exposure from followers on her social media page.

What a p... **See More**

Like · Reply · 10m



Rick Rynearson

Scott Marcum another theory is that L van Taylor asked me about my military experience and I answered his query.

Like · Reply · 4m



Brian Maxwell

Rick Rynearson weird flex...but ok troll

Like · Reply · 3m



Rick Rynearson

Brian Maxwell a troll is anybody who posts something you don't like on the internet, or does it mean something else to you?

Like · Reply · 3m

Most Relevant is selected, so some replies may have been filtered out.

Like · Reply · 13m



Top Fan

L van Taylor

Rick Rynearson Impressive bio.



Like · Reply · 13m



Susan Boone Ames

CMSAF JoAnne S. Bass for every one disgruntled person there are so very many more that appreciate our US Air Force, the leadership, and your support. I'm proud to have retired (84-04). Keep doing what you're doing.

Like · Reply · 3m



Rick Rynearson

I've got to say, I was skeptical of the condition of our greatest asset but after seeing some of these comments, I can see our beloved Air Force is in good hands. Solid.

Like · Reply · 9m



Rick Rynearson

L van Taylor it's okay. Thanks for asking the question so that I would have an opportunity to shamelessly promote my non-commercial blog to foster my non-existent political campaign along with my non-existent book tour.

Like · Reply · 11m

Most Relevant is selected, so some replies may have been filtered out.

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Like · Reply · 3m



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Like · Reply · 9m



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Like · Reply · 11m



Rick Rynearson

Susan Boone Ames so we're going with the "disgruntled" narrative are we? Could you expound on why I'm disgruntled because I didn't get that memo. Cheers.

Like · Reply · 3m

Most Relevant is selected, so some replies may have been filtered out.



Write a reply...



Like · Reply · 9m



Lauren Carson

Rick Rynearson think it's time for you to unfollow the CMSAF. You offer nothing valuable to the dialogue & are a bully

Like · Reply · 6m · Edited



Rick Rynearson

Lauren Carson thank you for your thought. Request denied. But you do remind me of another thing to be thankful for.

I am thankful for our First Amendment, government transparency, and court rulings that make it clear government officials cannot block or censor people on social media without violating the First Amendment that we swore to support and defend.

I am thankful that I was able to sue the State of Washington for violating the First Amendment online successfully and I'm thankful that I still honor my oath to defend free speech from domestic enemies whenever they arise.

So I appreciate your feedback although I think it's colored with this new propaganda that pervades our culture and has sadly infected our Air Force, where views you don't like are "bullying" and such.

If you are interested in valuable dialogue as you suggest, here is a discussion of my successful

government transparency, and court rulings that make it clear government officials cannot block or censor people on social media without violating the First Amendment that we swore to support and defend.

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If you are interested in valuable dialogue as you suggest, here is a discussion of my successful federal lawsuit against those in government positions who didn't share my appreciation for the First Amendment. I hope you find it of value.

http://stopclarencemoriwaki.com/rick_rynearson.html



STOPCLARENCEMORIWAKI.COM
Not Clarence Moriwaki of
Bainbridge Island



Like · Reply · Remove Preview · 3m

Most relevant comments are shown first. You can filter comments by clicking on the filter icon.

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Not Clarence Moriwaki of
Bainbridge Island



Like · Reply · Remove Preview · 9m



Nina Marotta

Rick Ryneerson if all you want is war, then you're in the military for the wrong reason.

Like · Reply · 4m



Rick Ryneerson

Nina Marotta are you under the impression that all I want is war? Whatever would give you that impression?

Like · Reply · 3m

Most Relevant is selected, so some replies may have been filtered out.



Cory Moody

Rick Rynearson could you give an example of care power?

Like · Reply · 10m



Rick Rynearson

Cory Moody there are plenty of examples be found ranging from some that are properly motivated to those that have national security implications (such as the divisive and racist propaganda the Air Force was feeding airmen that the POTUS himself had to use his time to dismantle because Air Force leadership failed to do so). Rather than give you one example or a dozen, however, what I am referring to is the larger loss of focus, the cultural shift that is being pursued by politicians and Air Force leadership that makes "feelings" and "safe spaces" and "equity" a primary focus of our Air Force and takes away from focusing on what is actually required to win wars. That isn't to say that feelings and equity and basic professionalism are without value in our Air Force (such a discussion would require defining those words explicitly, however, as many bad ideas and values are hidden inside nice sounding terms these days), but rather to suggest that the focus of our military needs to be on the core mission of the military and that we need to be very weary of ideas and nice sounding philosophies that have the very real risk of causing mission ending division in our service.

Like · Reply · 3m

himself had ... [See more](#)

Like · Reply · 13m · Edited



Aaron Degnan

I would kinda like to show **Rick Ryneerson** some of the violence and messy stuff so that he would learn to shut his mouth when he talks to CMSAF.

Like · Reply · 7m



Rick Ryneerson

Aaron Degnan the problem with SA, is you don't know when you've lost it.

Despite your veiled threat or wish for violence to silence those who express views you don't agree with to government officials, I think I'll continue to exercise those rights you mumbled if you took the oath of office.

Cheers.

Like · Reply · 5m



Rick Ryneerson

Aaron Degnan hopefully the CMSAF takes the same opportunity she did to contact the "Bass or bass" airman to reach out to you and provide any thoughts she might have on production superintendent's at MacDill AFB who wish for violence to silence speech to government in contravention of their oath of office. Perhaps she can mention Mussolini and his blackshirts and how they used violence to shut down the press and critical opinions, and how that literal fascism is incompatible with our Air Force.

I eagerly await reading about her taking this opportunity to correct the important stuff rather than engaging with jokesters online.

Like · Reply · 3m



Rick Rynearson

Aaron Degnan the problem with SA, is you don't know when you've lost it.

Despite your veiled threat or wish for violence to silence those who express views you don't agree with to government officials, I think I'll continue to exercise those rights yo... **See More**

Like · Reply · 16m



Rick Rynearson

Aaron Degnan hopefully the CMSAF takes the same opportunity she did to contact the "Bass or bass" airman to reach out to you and provide any thoughts she might have on production superintendent's at MacDill AFB who wish for violence to silence speech t... **See More**

Like · Reply · 14m



Rick Rynearson

Perhaps if it's phrased as "online bullying is a problem?"

CMSAF JoAnne S. Bass do you think active duty enlisted folks expressing a wish for violence to silence others on your page is worthy of your intervention?

Like · Reply · 9m · Edited



Top Fan

Jason L. Huighe

Rick Rynearson really?! Please stop.

Like · Reply · 3m



Rick Rynearson

Jason L. Huighe please stop expressing my views online because you don't agree with them?

Request denied.

Like · Reply · 3m

Most Relevant is selected, so some replies may have been filtered out.

opportunity she did to contact the Bass or Bass airman to reach out to you and provide any thoughts she might have on production superintendent's at MacDill AFB who wish for violence to silence speech t... **See More**

Like · Reply · 17m



Rick Ryneason

Perhaps if it's phrased as "online bullying is a problem?"

CMSAF JoAnne S. Bass do you think active duty enlisted folks expressing a wish for violence to silence others on your page is worthy of your intervention?

Like · Reply · 12m · Edited



Top Fan

Jason L. Huighe

Rick Ryneason really?! Please stop.

Like · Reply · 6m



Rick Ryneason

Jason L. Huighe please stop expressing my views online because you don't agree with them?

Request denied.

Like · Reply · 5m



Rick Ryneason

There is something about a government official backed by a mob that wishes to silence the views of American citizens, to include expressing the wish for violence to do so, that is, in a word, incompatible with our Air Force I think. It harkens back to some dark days that we would be well served to avoid.

I think this is a very worthy discussion to be had and look forward to the Chief explaining this.

Like · Reply · 3m



Write a reply...



Like · Reply · 42m · Edited



Top Fan

Stephanie Danielle

Rick Ryneerson I see the core missions happening every day. In fact, I would say the primary focus is the mission. One of the best ways to make the mission the most effective is to make sure the airmen are able to complete the mission. Can you provide citation where the primary focus of the Air Force is "feelings", "safe spaces" and "equity", and how that has hindered our military by being the primary focus? I do see it being a focus, I do see commanders listening to their airmen when their airmen are saying things like "the lack of equity is hindering the mission" (an example being black airmen being punished 2.5x harsher than their white counterparts, which arguably will hinder a mission more because 1) others are not being punished for the same transgression so they continue or 2) black airmen losing motivation to be in the military).

Like · Reply · 35m



Rick Ryneerson

Stephanie Danielle I'm like a loadmaster who sees what he believes to be the number 3 engine on fire and alerts the pilot. If the pilot said "can you provide a citation that says the #3 engine is on fire" I would have to say no. It's just what I am seeing.

Like · Reply · 33m



Top Fan

Stephanie Danielle

Rick Ryneerson thats a false equivalency.

Like · Reply · 31m



Susan Boone Ames

Rick Ryneerson say something positive. Be an inspiration to the younger generation on here.

Like · Reply · 31m



Susan Boone Ames

Rick Rynearson say something positive. Be an inspiration to the younger generation on here.

Like · Reply · 30m



Susan Boone Ames

Rick Rynearson that's exactly what you were wishing for — victim status.

Like · Reply · 27m




Doug Tressler

CMSAF JoAnne S. Bass people protecting, defending and serving people. That is the very foundation of our oath of enlistment. It is what we sign up for, it is why we raise our hand. Thank you CMSAF Bass.

Like · Reply · 24m



James J P Monahan

CMSAF JoAnne S. Bass, ABSOLUTELY 

Like · Reply · 16m



Sarah Jones Tamayo

Well, I'm writing on my paper leaf right now..."Thankful we have Chief Bass and not Rick."

Like · Reply · 14m



Kodie Tylar

Sounds like someone needs to be recalled to active duty...

Like · Reply · 9m



Aurelia Hill

Rick, you keep saying Oath of Office like we're all Officers. It's called an Oath of Enlistment ya dingbat. If you're going to come for people at least get your terminology correct when

Thank you CMSAF Bass.

Like · Reply · 24m



James J P Monahan
CMSAF JoAnne S. Bass, ABSOLUTELY

Like · Reply · 16m



Sarah Jones Tamayo
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Like · Reply · 14m



Kodie Tylar
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Like · Reply · 9m



Aurelia Hill
Rick, you keep saying Oath of Office like we're all Officers. It's called an Oath of Enlistment ya dingbat. If you're going to come for people at least get your terminology correct when you hit the Google button to ask it "what to military members say when they swear in." SMH

Like · Reply · 4m · Edited



Top Fan
L van Taylor
CMSAF JoAnne S. Bass I like the idea of a care force. If we don't care about the Airmen who don't come from the so called mainstream of American society. if we as an Air Force are not going to recognize their struggles and issues and honor their desire to serve by fostering their personal well being...then pilots won't get their Air Medals.

Like · Reply · 4m · Edited



Write a reply...



Like · Reply · 10m · Edited



Allie Hester

Rick Ryneanson hey, active duty sailor here, uh with all due respect. you dont know what you're saying. Kthx

Like · Reply · 6m



Rick Ryneanson

In case you are interested in this side topic, I've made a place for that discussion so it doesn't clog up the discussion of Air Force focus. Cheers.

<http://www.pickyourbattles.net/.../is-it-pronounced...>



PICKYOURBATTLES.NET

Is it Pronounced Fascism or Fascism?



Like · Reply · Remove Preview · 4m



Top Fan

L van Taylor

Rick Ryneanson you sound like you may be offended or even victimized. by a MacDill production superintendent.

Like · Reply · 2m



Rick Ryneanson

L van Taylor oh not at all. I'm simply pointing out an opportunity for mentorship to the Chief. Assuming she shares my view that military personnel shouldn't wish for violence to silence others speaking to government officials on her page and that this is a bigger opportunity for her than the "bass or bass" episode.

Like · Reply · 1m



Write a reply...



Like · Reply · 32m



Rick Rynearson

L van Taylor oh not at all. I'm simply pointing out an opportunity for mentorship to the Chief. Assuming she shares my view that military personnel shouldn't wish for violence to silence others speaking to government officials on her page and that th... **See More**

Like · Reply · 29m



Rick Rynearson

As a taxpayer, however, I do expect those in my military to role model our constitutional values rather than the values of Mussolini's blackshirts. I realize I may well be in the minority here.

Like · Reply · 28m · Edited



Josh Barber

Rick Rynearson ok boomer

Like · Reply · 5m



Rick Rynearson

Josh Barber overdue for your ageism CBT?

Like · Reply · 1m

Most Relevant is selected, so some replies may have been filtered out.

Like · Reply · 30m · Edited



Josh Barber
Rick Ryneearson ok boomer

Like · Reply · 10m



Rick Ryneearson
Josh Barber overdue for your ageism CBT?

Like · Reply · 4m



Rick Ryneearson
Allie Hester that was very persuasive. Thanks for that input.

Like · Reply · 3m



Rick Ryneearson
Aurelia Hill a bit pedantic I think and much about nothing, but you're correct. Thanks for the correction.

Like · Reply · 1m



Rick Ryneearson
Kodie Tylar thanks for that vote of confidence. Certainly if others in positions of authority think I'd be a benefit to active duty, I'm ready for the call.

Like · Reply · 1m

Most Relevant is selected, so some replies may have been filtered out.



Like · Reply · 2m



Rick Rynearson

Kodie Tylar thanks for that vote of confidence. Certainly if others in positions of authority think I'd be a benefit to active duty, I'm ready for the call.

Like · Reply · 2m



Kodie Tylar

Rick Rynearson do not misunderstand me, I mean for courts martial.

Haha · Reply · 1m



Rick Rynearson

Kodie Tylar oh, I see. Well fortunately, for now at least, disagreeing with you on the internet doesn't violate the UCMJ. But you should be encouraged by the trend.

Like · Reply · 1m

Most Relevant is selected, so some replies may have been filtered out.

across multiple branches increasing their resiliency, teamwork, and lethality by becoming stronger le... **See More**



RESEARCHGATE.NET

Special Forces (SF) soldiers training: A pre-emptive...



[Like](#) · [Reply](#) · 6m



Derik Bishop

Rick Rynearson not suggesting any correlation but every person who put a "wow" or "angry" response emoji on your main comment is a female. Maybe just a coincidence but interesting nevertheless.



[Like](#) · [Reply](#) · 6m



Rick Rynearson

Derik Bishop it is interesting for sure and that is a perilous topic worthy of consideration.

But it might just be that these women don't like me. My wife is a Harvard graduate who graduated number one on a full ride from a top law school and clerked for Justice John Paul Stevens of the Supreme Court (it's a big deal). She's also a JAG in the reserves and outranks me (she's a Lt Col).

She doesn't like me either, so I get it.

[Like](#) · [Reply](#) · 1m

Write a comment...



Rick Rynearson

I'm thankful the other services concentrate on the application of violence and wars and messy stuff like that, so that our Air Force is safe to be the world's best Day Care on social media, concentrating on our feelings and making sure we all feel good... **See More**

Like · Reply · 4h



↪ [View previous replies](#)



Aurelia Hill

So you said above that "if others in positions of authority think I'd be a benefit to active duty, I'm ready for the call"...and your wife outranks you because she's a Lt Col...You can't outrank someone who just wishes they were in the military. Wow.

Like · Reply · 1m



Rick Rynearson

Aurelia Hill another possibility to consider, just throwing this out there, might be that I'm retired.

Like · Reply · 1m

Most Relevant is selected, so some replies may have been filtered out.



Write a reply...



Melissa Overstreet Herron

Our state suffered a loss on Friday, it was very



Derik Bishop

Rick Ryneerson I just thought it was interesting. I think that the main point of contention is that the Air Force and possibly the military or world in general are transitioning. In the military we all wear a uniform and abide by guidelines and regulations that tell us what we can and can't do. Inclusion was never something to worry about because if you didn't fit the mold, you didn't fit the mold. Now the mold can change based on your beliefs or what people want it to be. The idea of a uniform and inclusion of everyone are two totally opposite things. We can't all be uniform and unique at the same time. It is quite literally impossible.

Like · Reply · 6m



Lillie Eudy

Maybe if there had been more Careforce during your career you'd be a more happy person. I'm not a fan of the kumbaya stuff either, but the Air Force has to adapt to changing needs. We are far more innovative and agile than we were during your service and part of that is empowering our talented and Intelligent airmen. We still do more damage to the adversary than the other 3.5 branches combined, it's just not a bloody battle. Doesn't mean it's not every bit as important.

Like · Reply · 5m

service a... **See More**

Like · Reply · 9m



Top Fan

Stephanie Danielle

Rick Rynearson is that all you're going to address in her comment?

Like · Reply · 1m



Lillie Eudy

Rick because you keep following the page despite the fact that you obviously have issues with the way we are headed.. happy people would unfollow. People that disagree with a viewpoint are one thing, you seem to disagree with her philosophy.

Like · Reply · 1m



Rick Rynearson

Lillie Eudy I see. So in your view, if government is not doing what we think it should do, we should then ignore it rather than engage with it and try to direct it or offer up viewpoints that might get it to function better?

Thanks so much for sharing your viewpoint.

Like · Reply · 1m



Write a reply...



EXHIBIT 4

 **CMSAF JoAnne S. Bass**

There is really only one way to properly...




7.1K

229.6K Views · 5 weeks ago

Page Transparency [See All](#)

Facebook is showing information to help you better understand the purpose of a Page. See actions taken by the people who manage and post content.

 Page created - September 2, 2013

 Page manager location: United States

Add Your Business to Facebook

Showcase your work, create ads and connect with customers or supporters.

[Create Page](#)



Barb Ridge

I am thankful that this E-9 can't be messing with much in the way of Air Force policy because she is too busy playing on social media.

1d



 Top Fan

Jill Tyer-Catania

Barb Ridge she's smart enough to know that a wide audience prefers social media for connection, discussion and communication. Especially the younger generation. She has fantastic people skills. If that's what you call playing on social media then so be it. 🙄 everyone is entitled to their opinion. And I'm sure that's exactly what she would say too.

1d



Megan Kaiser Mueller

Barb Ridge what policies are you hoping to see change? Or are you genuinely happy there won't be changes for awhile because you're happy with the existing policies?


1d



Toby Lancaster



Barb Ridge Hope you get the help you need, you

EXHIBIT 5

 CMSAF JoAnne S. Bass [Learn More](#) [Liked](#) [Message](#) [Search](#) [More](#)

There is really only one way to properly...
7.1K
224.3K Views · 5 weeks ago

Page Transparency [See All](#)
Facebook is showing information to help you better understand the purpose of a Page. See actions taken by the people who manage and post content.

-  Page created - September 2, 2013
-  Page manager location: United States

Add Your Business to Facebook
Showcase your work, create ads and connect with customers or supporters.

Lillie Eudy
Rick oh. I thought of the message. L our viewpoints to on Facebook with someone who car something use... S

Haha · Reply · 5m

Rick Rynearson
Thank you for you with government should by writing then either?
Unable to post comm

Thank you for you with government should by writing either?

BJ Ehnis
That is such an amazing

12:35 PM
Chief, I just want to make sure there isn't a glitch on your Facebook page. It is telling me that I no longer have permission to comment. If this is the case, I will be filing suit against you and the Air Force for violating the First Amendment, so I hope that isn't the case.

[+](#) [📷](#) [🗣️](#) [GIF](#) [Aa](#) [😊](#) [👍](#)



CMSAF JoAnne S. Bass  



12:35 PM

Chief, I just want to make sure there isn't a glitch on your Facebook page. It is telling me that I no longer have permission to comment. If this is the case, I will be filing suit against you and the Air Force for violating the First Amendment, so I hope that isn't the case.



Aa





CMSAF JoAnne S. Bass ✓



CMSAF JoAnne S. Bass ✓

153K people like this including Eric S. Jackson and 31 friends
Government Official

2:31 PM

Chief Bass, I just wanted to give you another opportunity to unblock me from the official CMSAF page to avoid me filing a lawsuit on you for using your official office to violate my First Amendment rights.

⚠ This person isn't available right now. ⓘ



CMSAF JoAnne S. Bass ✓

MORE ACTIONS



Search in Conversation



MESSANGER LINK



m.me/CMSAFOfficial

PRIVACY & SUPPORT

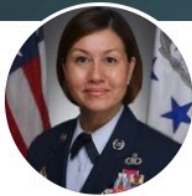


GIF



Type a message...





CMSAF JoAnne S. Bass ✓

@CMSAFOfficial · Government Official

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EXHIBIT 6

CONTACT FORM

Recipient:

Air Force Public Inquiries

Your Name:

Richard Rynearson

Your Email Address:

wingedryno@gmail.com

Subject:

Avoiding a federal lawsuit against CMSAF Joanne S. Bass

Message:

Hello,

I just wanted to reiterate to Chief Bass, as I have stated to her in a message on Facebook sent on 22 November 2020, that her recent decision to censor my content from the @CMSAFOfficial Facebook page, and to block my ability to comment on that page, is a violation of the First Amendment whether done by her or by a member of her staff. I request that she unblock me and return my deleted comments to the page. Doing so in a timely fashion will avoid the filing of a federal lawsuit to seek a remedy for the violation of my First Amendment rights and will mitigate any bad press directed at the

Contact Me: A response is requested.

Send Message



CONTACT FORM

Your message was successfully submitted. Thank you.

Recipient:

Your Name:

Your Email Address:

Subject:

Message:

Contact Me: A response is requested.

EXHIBIT 7



CMSAF JoAnne S. Bass

@CMSAFOfficial · Government Official

Home

About

Photos

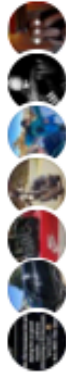
Videos

More



GENERAL

155,798 people like this including 32 of your friends



169,486 people follow this

Government Official

ADDITIONAL CONTACT INFO

<http://www.af.mil/AboutUs/AirForceSeniorLeaders/CMSAF.aspx>

MORE INFO

About

This is the official FB page of CMSAF JoAnne S. Bass. Managing the page is a team effort but the words posted here are 100% hers.

Additional Information

The appearance of external links on this site does not constitute official endorsement on behalf of the U.S. Department of the Air Force or Department of Defense. The Department of the Air Force does not endorse any non-federal entities, products or services.

The Department of the Air Force does not exercise any responsibility or oversight of the content at external link destinations.

DEPARTMENT OF THE AIR FORCE COMMENT POLICY

If you wish to comment, use the text box. The Department of the Air



CMSAF JoAnne S. Bass

If you wish to comment, use the text box. The Department of the Air Force reserves the right to modify this policy at any time.

This is a moderated forum. That means all comments will be reviewed. In addition, we expect that participants will treat each other, as well as our agency and our employees, with respect. We will not allow comments that contain abusive or vulgar language, hate speech, personal attacks, comments that violate equal employment opportunity policy or are offensive to others, or similar content to remain. We will not allow comments that are spam, are clearly "off topic," promote services or products, infringe on copyright-protected material, or contain links that do not

contribute to the discussion to remain. Comments that make unsupported accusations will not be allowed. The Air Force alone will determine which comment will be posted.

Any references to commercial entities, products, services or other nongovernmental organizations or individuals that remain on the site are provided solely for the information of individuals using this page. These references are not intended to reflect the opinion of the Department of the Air Force, Department of Defense, the U.S., or their employees concerning the significance, priority or importance to be given the referenced entity, product, service or organization. Such references are not an official or personal endorsement of any product, person or service, and may not be quoted or reproduced for the purpose of stating or implying Department of the Air Force endorsement or approval of any product, person or service. Any comments that report criminal activity, including suicidal behavior or sexual assault, will be reported to the appropriate authorities, including the Department of the Air Force Office of Special Investigations.

Do not use this forum to:

- Report criminal activity. If you have information for law enforcement, please contact Department of the Air Force Office of Special Investigations or your local police agency.
- Submit unsolicited proposals or other business ideas or inquiries. This site is not to be used for contracting or commercial business.
- Submit any claim, demand, informal or formal complaint, or any other form of legal and or administrative notice or process, or for the exhaustion of any legal and or administrative remedy.

The Department of the Air Force does not guarantee or warrant that any information posted by individuals on this forum is correct, and disclaims



CMSAF JoAnne S. Bass

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otherwise promote any private or commercial entity or the information, products or services contained on those websites that may be reached through links on our website. News media representatives are asked to address questions to the Public Affairs (PA) office through their normal channels and to refrain from submitting questions here as comments. Reporter questions will not be posted. We recognize that the web is a 24/7 medium, and your comments are welcome at any time.

However, given the need to manage federal resources, moderating and posting of comments will occur at a time determined by the PA office. Comments submitted after hours or on weekends will be reviewed as early as possible; in most cases, this means the next business day.

For the benefit of robust discussion, we ask that comments remain "on-topic." The views expressed on the site by non-federal commentators do not necessarily reflect the official views of the Department of the Air Force or the federal government.

To protect your own privacy and the privacy of others, please do not include personally identifiable information, such as Social Security number, DoD ID number, Department of the Air Force Office of Special Investigations case number, phone numbers or email addresses in the body of your comment. If you do voluntarily include personally identifiable information in your comment, such as your name, that comment may or may not be removed from the page. If your comment is posted, your name will not be redacted or removed. In no circumstances will

comments that contain Social Security numbers, DoD ID numbers, Department of the Air Force Office of Special Investigations case numbers, addresses, email addresses or phone numbers be allowed to remain.

Thank you for taking the time to read this comment policy. We encourage your participation in our discussion and look forward to an active exchange of ideas. **See Less**

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS
(b) County of Residence of First Listed Plaintiff
(c) Attorneys (Firm Name, Address, and Telephone Number)

DEFENDANTS
County of Residence of First Listed Defendant
NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.
Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)
1 U.S. Government Plaintiff
2 U.S. Government Defendant
3 Federal Question (U.S. Government Not a Party)
4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)
PTF DEF
Citizen of This State 1 1
Citizen of Another State 2 2
Citizen or Subject of a Foreign Country 3 3
Incorporated or Principal Place of Business In This State 4 4
Incorporated and Principal Place of Business In Another State 5 5
Foreign Nation 6 6

IV. NATURE OF SUIT (Place an "X" in One Box Only)
CONTRACT: 110 Insurance, 120 Marine, 130 Miller Act, 140 Negotiable Instrument, 150 Recovery of Overpayment & Enforcement of Judgment, 151 Medicare Act, 152 Recovery of Defaulted Student Loans (Excludes Veterans), 153 Recovery of Overpayment of Veteran's Benefits, 160 Stockholders' Suits, 190 Other Contract, 195 Contract Product Liability, 196 Franchise
TORTS: PERSONAL INJURY: 310 Airplane, 315 Airplane Product Liability, 320 Assault, Libel & Slander, 330 Federal Employers' Liability, 340 Marine, 345 Marine Product Liability, 350 Motor Vehicle, 355 Motor Vehicle Product Liability, 360 Other Personal Injury, 362 Personal Injury - Medical Malpractice; PRISONER PETITIONS: Habeas Corpus: 463 Alien Detainee, 510 Motions to Vacate Sentence, 530 General, 535 Death Penalty; Other: 540 Mandamus & Other, 550 Civil Rights, 555 Prison Condition, 560 Civil Detainee - Conditions of Confinement
FORFEITURE/PENALTY: 625 Drug Related Seizure of Property 21 USC 881, 690 Other
LABOR: 710 Fair Labor Standards Act, 720 Labor/Management Relations, 740 Railway Labor Act, 751 Family and Medical Leave Act, 790 Other Labor Litigation, 791 Employee Retirement Income Security Act
IMMIGRATION: 462 Naturalization Application, 465 Other Immigration Actions
BANKRUPTCY: 422 Appeal 28 USC 158, 423 Withdrawal 28 USC 157
INTELLECTUAL PROPERTY RIGHTS: 820 Copyrights, 830 Patent, 835 Patent - Abbreviated New Drug Application, 840 Trademark, 880 Defend Trade Secrets Act of 2016
SOCIAL SECURITY: 861 HIA (1395ff), 862 Black Lung (923), 863 DIWC/DIWW (405(g)), 864 SSID Title XVI, 865 RSI (405(g))
FEDERAL TAX SUITS: 870 Taxes (U.S. Plaintiff or Defendant), 871 IRS—Third Party 26 USC 7609
OTHER STATUTES: 375 False Claims Act, 376 Qui Tam (31 USC 3729(a)), 400 State Reapportionment, 410 Antitrust, 430 Banks and Banking, 450 Commerce, 460 Deportation, 470 Racketeer Influenced and Corrupt Organizations, 480 Consumer Credit (15 USC 1681 or 1692), 485 Telephone Consumer Protection Act, 490 Cable/Sat TV, 850 Securities/Commodities/Exchange, 890 Other Statutory Actions, 891 Agricultural Acts, 893 Environmental Matters, 895 Freedom of Information Act, 896 Arbitration, 899 Administrative Procedure Act/Review or Appeal of Agency Decision, 950 Constitutionality of State Statutes

V. ORIGIN (Place an "X" in One Box Only)
1 Original Proceeding, 2 Removed from State Court, 3 Remanded from Appellate Court, 4 Reinstated or Reopened, 5 Transferred from Another District (specify), 6 Multidistrict Litigation - Transfer, 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION
Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
Brief description of cause:

VII. REQUESTED IN COMPLAINT:
CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. DEMAND \$ CHECK YES only if demanded in complaint: JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY (See instructions): JUDGE DOCKET NUMBER

DATE SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY
RECEIPT # AMOUNT APPLYING IFP JUDGE MAG. JUDGE

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44

Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I.(a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
- (b) County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
- (c) Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
 United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here. United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.
 Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
 Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)
- III. Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit.** Place an "X" in the appropriate box. If there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: [Nature of Suit Code Descriptions](#).
- V. Origin.** Place an "X" in one of the seven boxes.
 Original Proceedings. (1) Cases which originate in the United States district courts.
 Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441.
 Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
 Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
 Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
 Multidistrict Litigation – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.
 Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket.
PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7. Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.
- VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service.
- VII. Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.
 Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.
 Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. Related Cases.** This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

Date and Attorney Signature. Date and sign the civil cover sheet.