

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

CENTER FOR CONSTITUTIONAL RIGHTS,

Plaintiff,

v.

Case No. 1:26-cv-01821

UNITED STATES DEPARTMENT OF JUSTICE;
EXECUTIVE OFFICE FOR UNITED STATES
ATTORNEYS; OFFICE OF INFORMATION POLICY;
OFFICE ON VIOLENCE AGAINST WOMEN; OFFICE
OF LEGAL COUNSEL; UNITED STATES
DEPARTMENT OF JUSTICE CIVIL DIVISION; UNITED
STATES DEPARTMENT OF JUSTICE CIVIL RIGHTS
DIVISION; EXECUTIVE OFFICE FOR IMMIGRATION
REVIEW; OFFICE OF THE SOLICITOR GENERAL;
UNITED STATES BUREAU OF PRISONS; UNITED
STATES EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION; UNITED STATES DEPARTMENT OF
VETERANS AFFAIRS; VETERANS HEALTH
ADMINISTRATION; OFFICE OF THE SECRETARY OF
VETERANS AFFAIRS; UNITED STATES OFFICE OF
MANAGEMENT AND BUDGET; UNITED STATES
DEPARTMENT OF THE INTERIOR; UNITED STATES
SOCIAL SECURITY ADMINISTRATION; UNITED
STATES FEDERAL COMMUNICATIONS
COMMISSION; UNITED STATES DEPARTMENT OF
DEFENSE; UNITED STATES DEPARTMENT OF
HOMELAND SECURITY; UNITED STATES COAST
GUARD; UNITED STATES AGENCY FOR
INTERNATIONAL DEVELOPMENT; UNITED STATES
OFFICE OF PERSONNEL MANAGEMENT; UNITED
STATES DEPARTMENT OF HOUSING AND URBAN
DEVELOPMENT; UNITED STATES DEPARTMENT OF
HEALTH AND HUMAN SERVICES; UNITED STATES
INTERNAL REVENUE SERVICE; UNITED STATES
DEPARTMENT OF EDUCATION; UNITED STATES
DEPARTMENT OF THE TREASURY; UNITED STATES
DEPARTMENT OF STATE; and BUREAU OF
CONSULAR AFFAIRS,

Defendants.

COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF

1. This is an action under the Freedom of Information Act (“FOIA”), 5 U.S.C. §§ 552 *et seq.*, seeking declaratory, injunctive, and other appropriate relief to compel the Defendants, the United States Department of Justice (including its components the Executive Office of United States Attorneys, Office of Information Policy, Office on Violence Against Women, Office of Legal Counsel, the Civil Division, the Civil Rights Division, the Executive Office for Immigration Review, and the Office of the Solicitor General), the United States Bureau of Prisons, the United States Equal Employment Opportunity Commission, the United States Department of Veterans Affairs (and its components Veterans Health Administration, Office of the Secretary of Veterans Affairs), the United States Office of Management and Budget, the United States Department of the Interior, the United States Social Security Administration, the United States Federal Communications Commission, the United States Department of Defense, the United States Department of Homeland Security (including its component the United States Coast Guard), the United States Agency for International Development, the United States Office of Personnel Management, the United States Department of Housing and Urban Development, the United States Department of Health and Human Services, the United States Internal Revenue Service, the United States Department of Education, the United States Department of the Treasury, the United States Department of State (including its component the Bureau of Consular Affairs) (collectively, “Defendants”), to produce agency records that have been improperly withheld from Plaintiff, the Center for Constitutional Rights (“CCR” or “Plaintiff”).

2. Plaintiff CCR brings this action to seek records sought in FOIA requests¹ related to a time-sensitive and urgent public policy matter: the rollback of recognition, rights and protections

¹ The FOIA requests, which are attached hereto as exhibits to the Complaint, are a February 18, 2025 FOIA request to the BOP; an April 29, 2025 FOIA request to multiple U.S. agencies and offices; an April 29, 2025 FOIA request to the DOE; and a May 27, 2025 FOIA request to HHS.

for lesbian, gay, bisexual, trans,² queer,³ intersex,⁴ and asexual⁵ (“LGBTQIA+”) people. LGBTQIA+ people represent roughly 9.3% of adults in the United States,⁶ but they experience higher levels of discrimination and violence, and worse mental health outcomes, than their cisgender, non-intersex, or heterosexual counterparts.⁷

3. Despite the extant social and physical harm facing LGBTQIA+ people, the Trump Administration (the “Administration”) issued a series of executive orders in 2025 directly targeting members of the LGBTQIA+ community, and in particular, trans and intersex people, as detailed in section II.B, *infra*.

4. Among other things, the executive orders seek to define sex in fixed, binary, and arbitrary terms, contrary to science as well the lived realities of trans and intersex people.⁸ The orders also constrain the participation of trans and intersex people in society, terminate ongoing

² Transgender, gender nonconforming, two-spirit and nonbinary (or collectively “trans”) people are those who have a gender that is not fully aligned with their sex assigned at birth. Am. Psychological Ass’n, *Guidelines for Psychological Practice With Transgender and Gender Nonconforming People*, 70 Am. Psychologist 832–864 (Dec. 2015), <https://www.apa.org/practice/guidelines/transgender.pdf>. About 1.3% of the U.S. population is trans. *What Percentage of Americans Are LGBTQ+?*, Gallup (Aug. 6, 2025), <https://news.gallup.com/poll/332522/percentage-americans-lgbt.aspx>.

³ Queer is an umbrella term for those who fall under the LGBTQIA+ umbrella—i.e., they do not identify as cisgender or heterosexual.

⁴ Intersex “is an umbrella term for unique variations in reproductive or sex anatomy. Variations may appear in a person’s chromosomes, genitals, or internal organs like testes or ovaries. Some intersex traits are identified at birth, while others may not be discovered until puberty or later in life.” *Intersex Definitions*, interACT: Advocates for Intersex Youth, <https://interactadvocates.org/intersex-definitions/> (last visited Feb. 13, 2026). Experts estimate that up to 1.7% of the population is intersex. *Intersex people*, Off. of U.N. High Comm’r for Hum. Rts., <https://www.ohchr.org/en/sexual-orientation-and-gender-identity/intersex-people> (last visited Feb. 13, 2026).

⁵ Asexual people “may experience little or no sexual attraction and/or experience sexual attraction in a non-normative way.” *Understanding Asexuality*, The Trevor Project (Aug. 20, 2021), <https://www.thetrevorproject.org/resources/article/understanding-asexuality/>.

⁶ *What Percentage of Americans Are LGBTQ+?*, *supra* note 2.

⁷ *See infra* ¶ 37.

⁸ *See, e.g.*, Elana Redfield & Ishani Chokshi, Impact of the Executive Order Redefining Sex on Transgender, Nonbinary, and Intersex People (Jan. 2025), <https://williamsinstitute.law.ucla.edu/wp-content/uploads/Sex-Definition-EO-Jan-2025.pdf>; *Trump’s Executive Order Ignores Science to Push Discriminatory Agenda*, interACT: Advocates for Intersex Youth (Jan. 21, 2025), <https://interactadvocates.org/trumps-executive-order-ignores-science-to-push-discriminatory-agenda/>; *HHS Ignores Biology to Comply with Trump’s Executive Order*, interACT: Advocates for Intersex Youth (Feb. 19, 2025), <https://interactadvocates.org/interact-statement-hhs-ignores-biology-to-comply-with-trumps-executive-order/>; Sheryl Gay Stolberg, *Citing ‘Biological Truth,’ Kennedy Issues Guidance Recognizing Only Two Sexes*, N.Y. Times (Feb. 19, 2025), <https://www.nytimes.com/2025/02/19/us/politics/rfk-jr-hhs-sex-genders.html>.

research and education related to their health needs, and curtail their legal protections, in addition to denying their very existence.

5. The Administration’s executive orders have been devastating for trans and intersex people in the United States and continue to rapidly destabilize their lives. Collectively, the executive orders sanction discrimination against, and the erasure of, trans and intersex people in areas such as employment, housing, legal aid, and medical care.⁹ For example, one resulted in Defendant Bureau of Prisons attempting to move incarcerated trans women to men’s facilities, and rolling back protections and data collection concerning the safety of queer and trans people in prisons.¹⁰ The orders have also resulted in the elimination of policies that allowed trans and intersex people to possess correct gender markers on their passports,¹¹ endangering Americans abroad and at home whose incorrect gender markers will reveal their trans or intersex status.¹² An additional order discharged *all* trans people from the military, regardless of their service or

⁹ See, e.g., *Ending Illegal Discrimination and Restoring Merit-Based Opportunity*, Exec. Order No. 14,173, 90 Fed. Reg. 8633 (Jan. 31, 2025), <https://www.federalregister.gov/documents/2025/01/31/2025-02097/ending-illegal-discrimination-and-restoring-merit-based-opportunity> (revoking an over 60-year-old nondiscrimination executive order which, in 2014, was extended to protect against discrimination on the basis of “gender identity,” see Exec. Order No. 13,672, 79 Fed. Reg. 42971 (July 23, 2014), <https://www.federalregister.gov/documents/2014/07/23/2014-17522/further-amendments-to-executive-order-11478-equal-employment-opportunity-in-the-federal-government>); *Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government*, Exec. Order No. 14,168, 90 Fed. Reg. 8615 (Jan. 30, 2025), <https://www.federalregister.gov/documents/2025/01/30/2025-02090/defending-women-from-gender-ideology-extremism-and-restoring-biological-truth-to-the-federal>.

¹⁰ See Jaelyn Diaz, *DOJ orders prison inspectors to stop considering LGBTQIA+ safety standards*, NPR (Dec. 4, 2025), <https://www.npr.org/2025/12/04/nx-s1-5630490/prison-doj-safety-memo-changes-trans-lgbtq-inmates>; see also Jaelyn Diaz, *Federal prisons prep to move trans inmates as early as this week*, NPR (Feb. 25, 2025), <https://www.npr.org/2025/02/21/nx-s1-5305282/trans-inmates-federal-prison-policy-transfers>. Indeed, despite pending litigation barring implementation of the relevant executive order, Defendant Bureau of Prisons released new policies on February 19, 2026 that prohibit access to necessary gender dysphoria healthcare to people incarcerated in federal prisons. Beth Schwartzapfel, *Federal Prisons Bar Gender-Affirming Care for Trans People*, The Marshall Project (Feb. 19, 2026), <https://www.themarshallproject.org/2026/02/19/transgender-federal-prisons-care-ban-policy>.

¹¹ Johnny Diaz, *Airlines Told to Disregard Gender-Neutral ‘X’ on U.S. Passports and Add ‘M’ or ‘F’*, N.Y. Times (Oct. 20, 2025), <https://www.nytimes.com/2025/10/20/us/airlines-passports-x-markers.html>.

¹² Jaelyn Diaz, *Trump’s Passport Policy Leaves Trans, Intersex Americans in the Lurch*, NPR (Feb. 21, 2025), <https://www.npr.org/2025/02/21/nx-s1-5300880/trump-passport-policy-trans-gender-intersex-nonbinary>.

position, solely because of their status as trans,¹³ and even revoked those veterans' pensions.¹⁴ And as these orders have been implemented nationwide, trans and intersex youth have witnessed the growing criminalization of their healthcare,¹⁵ while policies promoting the unethical practice of nonconsensual surgeries on intersex infants and children have been codified.¹⁶ Indeed, just this month the Centers for Medicare and Medicaid Services proposed new rules that would ban trans healthcare for minors while making explicit exemptions to allow procedures involving intersex youth.¹⁷

6. It is then of no surprise that trans and intersex people and their loved ones are leaving the United States to ensure their safety due to this Administration and these orders.¹⁸

¹³ *Prioritizing Military Excellence and Readiness*, Exec. Order No. 14,183, 90 Fed. Reg. 8757 (Feb. 3, 2025), <https://www.federalregister.gov/documents/2025/02/03/2025-02178/prioritizing-military-excellence-and-readiness> (asserting that servicemembers with gender dysphoria are categorically incapable of meeting the “mental and physical health standards” of becoming members of the military).

¹⁴ Olivia Empson, *Trans air force members sue Trump administration over denied pensions*, The Guardian (Nov. 16, 2025), <https://www.theguardian.com/us-news/2025/nov/16/trans-air-force-trump-administration-lawsuit-retirement-pension-benefits>.

¹⁵ “*They’re Ruining People’s Lives*”: *Bans on Gender Affirming Care in the United States*, Hum. Rts. Watch (June 3, 2025), <https://www.hrw.org/report/2025/06/03/theyre-ruining-peoples-lives/bans-on-gender-affirming-care-for-transgender-youth>; see also Jo Yurbaba, *At least 21 hospitals have ended or restricted trans care for minors since January*, NBC News (Aug. 24, 2025), <https://www.nbcnews.com/nbc-out/out-news/least-21-hospitals-ended-restricted-trans-care-minors-january-rcna226640>. Most recently, NYU Langone, a major provider of care, announced the elimination of its Transgender Youth Health Program in February 2026. Shrai Popat, *New York Hospital Ends Transgender Treatment Program for Minors*, The Guardian (Feb. 18, 2026), <https://www.theguardian.com/us-news/2026/feb/18/nyc-nyu-langone-hospital-trans-care>.

¹⁶ See, e.g., Fern Alling, *Anti-transgender executive orders threaten intersex people*, Medill Reports Chicago (Apr. 1, 2025), <https://news.medill.northwestern.edu/chicago/anti-transgender-executive-orders-threaten-intersex-people/>; Sylvan Fraser Anthony & Maddie Moran, *No care, just control – the intersex mutilation exceptions in gender-affirming care bans*, interAct: Advocates for Intersex Youth (May 15, 2025), <https://interactadvocates.org/no-care-just-control-the-intersex-mutilation-exceptions-in-gender-affirming-care-bans/>.

¹⁷ Medicaid Program; Prohibition on Federal Medicaid and Children’s Health Insurance Program Funding for Sex-Rejecting Procedures Furnished to Children, 90 Fed. Reg. 59441 (Dec. 19, 2025), <https://www.federalregister.gov/documents/2025/12/19/2025-23464/medicaid-program-prohibition-on-federal-medicare-and-childrens-health-insurance-program-funding-for>; Medicare and Medicaid Programs; Hospital Condition of Participation: Prohibiting Sex-Rejecting Procedures for Children, 90 Fed. Reg. 59463 (Dec. 19, 2025), <https://www.federalregister.gov/documents/2025/12/19/2025-23465/medicare-and-medicare-programs-hospital-condition-of-participation-prohibiting-sex-rejecting>.

¹⁸ Io Dodds, *No state is safe: Trans people are planning to move overseas rather than live in Trump’s America*, The Independent (June 30, 2025), <https://www.independent.co.uk/news/world/americas/us-politics/transgender-emigration-trump-supreme-court-b2779695.html>.

Experts warn this Administration’s “eliminationist” rhetoric is an early warning sign of a trans and intersex genocide.¹⁹

7. Thus, under the FOIA, Plaintiff CCR and the public more broadly have a statutory right to records relating to Defendants’ actions issuing multiple executive orders aimed to limit the public participation and recognition of trans and intersex people, and the LGBTQIA+ community more generally.

8. Between February and May 2025, Plaintiff CCR sent four related FOIA requests to Defendant agencies seeking records related to their implementation of the Administration’s anti-LGBTQIA+ executive orders (“hereinafter FOIA Request(s)” or “Request(s)”). Plaintiff’s FOIA Requests outlined the compelling need for the requested records, given the ongoing and grave threat that these Executive Orders pose to the safety and well-being of LGBTQIA+ people, and the increased public attention over this real-time curtailment of minority rights, and sought expedited processing.

9. Yet, the vast majority of the Defendants improperly refused to conduct any search, while four Defendants refused to respond to Plaintiff’s request at all. After almost a year, only three Defendants have produced any documents whatsoever—less than 300 pages of records in all. The small number of records produced to date have also been largely irrelevant to Plaintiff’s Requests, or redacted to the point of being unreadable.

10. Having exhausted all administrative remedies, Plaintiff CCR brings this action to compel Defendants to immediately process Plaintiff’s FOIA Requests and release records that have been unlawfully withheld to vindicate the public’s right to information about the

¹⁹ Walker Bragman, *Experts Warn U.S. in Early Stages of Genocide Against Trans Americans*, Lemkin Inst. (Jan. 7, 2026), <https://www.lemkininstitute.com/single-post/experts-warn-u-s-in-early-stages-of-genocide-against-trans-americans>.

implementation of this Administration's clearly stated anti-LGBTQIA+ policy agenda effectuated through these executive orders.

JURISDICTION AND VENUE

11. This Court has subject matter jurisdiction over this action and personal jurisdiction over the parties under 5 U.S.C. § 552(a)(4)(B). This Court also has jurisdiction under 28 U.S.C. §§ 1331 and 1346(a)(2).

12. Venue is proper under 5 U.S.C. § 552(a)(4)(B), 28 U.S.C. §§ 1391(e) and 1402(a) because Plaintiff CCR resides in this district.

13. Because Defendants have failed to comply with the time limits imposed by the FOIA, including with regard to administrative appeals, Plaintiff CCR has exhausted its administrative remedies with respect to all of its requests. 5 U.S.C. § 552(a)(6)(C)(i). Plaintiff is therefore entitled to seek relief directly from this Court. 5 U.S.C. § 552(a)(4)(B).

PARTIES

14. Plaintiff CCR is a non-profit, public interest legal and advocacy organization that engages in the fields of civil and international human rights. CCR's diverse issue areas include litigation and advocacy around LGBTQIA+ issues and rights, as well as racial and ethnic profiling, immigrants' and prisoners' rights, and economic justice. CCR provides legal support to civil rights movements and is a member of several national legal advocacy and education networks. One of CCR's primary activities is the publication of newsletters, know-your-rights handbooks and educational resources, detailed analyses of legal developments, including executive orders and federal agency action impacting the LGBTQIA+ community, and other similar materials for public dissemination. These and other materials are available through CCR's Development, Communications, and Advocacy Departments. CCR operates a website, <http://ccrjustice.org>,

which addresses the issues on which CCR works. CCR staff members often serve as sources for journalists and media outlets, including on issues related to gender-based violence, LGBTQIA+ civil rights, racial justice, government misconduct, police brutality, and the right to dissent. In addition, CCR regularly issues press releases, has an active social media presence with thousands of followers, and also issues regular email updates sent to over 50,000 supporters about developments and news pertaining to CCR's work. The office and principal place of business of CCR is located in New York County, New York.

15. Defendant United States Department of Justice ("DOJ") is an agency of the Executive Branch of the United States tasked with overseeing the domestic enforcement of federal laws. Defendants the Executive Office of United States Attorneys ("DOJ-EOUSA"), Office of Information Policy ("DOJ-OIP"), Office on Violence Against Women ("DOJ-OVW"), Office of Legal Counsel ("DOJ-OLC"), the Civil Division ("DOJ-CD"), the Civil Rights Division ("DOJ-CRD"), the Executive Office for Immigration Review ("DOJ-EOIR"), and the Office of the Solicitor General ("DOJ-OSG") are all components within the DOJ.

16. Defendant United States Bureau of Prisons ("BOP") is an agency of the Department of Justice, a department of the Executive Branch of the United States, and is responsible for the care and custody of all those in federal prisons.

17. Defendant United States Equal Employment Opportunity Commission ("EEOC") is a department of the Executive Branch of the United States that enforces anti-discrimination laws and policies within workplaces.

18. Defendant United States Department of Veterans Affairs ("VA") is a department of the Executive Branch of the United States that administers benefits and programs for veterans

and their loved ones. Defendants the Veterans Health Administration (“VHA”) and the Office of the Secretary of Veterans Affairs (“VA-OS”) are components within VA.

19. Defendant United States Office of Management and Budget (“OMB”) is a component within the Executive Office of the President charged with implementing the Executive Branch’s budget and management.

20. Defendant United States Department of the Interior (“DOI”) is a department of the Executive Branch of the United States responsible for overseeing federal lands and natural resources.

21. Defendant United States Social Security Administration (“SSA”) is a department of the Executive Branch of the United States that administers federal programs, including retirement and disability benefits.

22. Defendant United States Federal Communications Commission (“FCC”) is a department of the Executive Branch of the United States tasked with administering public communication and broadcast regulations.

23. Defendant United States Department of Defense (“DOD”), the largest government agency, is a Department of the Executive Branch of the United States Government and oversees the United States’ military force.

24. Defendant United States Department of Homeland Security (“DHS”) is a department of the Executive Branch of the United States responsible for overseeing, *inter alia*, immigration enforcement, antiterrorism work, and cybersecurity. Defendant United States Coast Guard (“USCG”) is a component within DHS.

25. Defendant United States Agency for International Development (“USAID”) is a department of the Executive Branch of the United States charged with providing international humanitarian aid.

26. Defendant United States Office of Personnel Management (“OPM”) is an independent agency that manages the federal civil service.

27. Defendant United States Department of Housing and Urban Development (“HUD”) is a department of the Executive Branch of the United States tasked with administering federal housing programs and policies.

28. Defendant United States Department of Health and Human Services (“HHS”) is a department of the Executive Branch of the United States responsible for creating guidelines for the country’s healthcare system and funding medical studies.

29. Defendant the Internal Revenue Service (“IRS”) is an agency of the Treasury tasked with enforcing federal tax laws.

30. Defendant United States Department of Education (“DOE”) is a department of the Executive Branch of the United States tasked with administering federal education programs and enforcing regulations.

31. Defendant United States Department of the Treasury (“Treasury”) is a department of the Executive Branch of the United States that manages national finances, including collecting taxes, issuing currency, funding the U.S. debt, and advising the president on financial and economic policy.

32. Defendant Department of State (“DOS”) is a department of the Executive Branch of the United States responsible for developing and implementing the United States’ foreign policy. Defendant Bureau of Consular Affairs (“DOS-BCA”) is a component within DOS.

33. All Defendants are “agencies” within the meaning of 5 U.S.C. § 551(1) and 5 U.S.C. 552(f)(1).

FACTUAL ALLEGATIONS

I. Background on Plaintiff CCR’s Need for the Requested Information

34. Plaintiff CCR has worked to protect and advance the rights guaranteed by the United States Constitution, federal statutes, and local and international law since its founding in 1966. CCR has also worked for decades to combat discrimination and persecution of LGBTQIA+ people, and to educate the public on the same, particularly where the discrimination or persecution in question is the byproduct of discriminatory state policies and government overreach.

35. CCR’s longstanding commitment in this area stems from the fact that LGBTQIA+ people have historically been, and continue to be, discriminated against and denied full participation in public life by federal policies and practices. For much of the twentieth century, LGBTQIA+ identity itself was treated as a basis for criminal prosecution in the United States, as well as the wholesale denial of employment opportunities and exclusion from places of public accommodation.

36. Discrimination against and the erasure of LGBTQIA+ people has been widespread throughout CCR’s existence. Queer and trans people were excluded from federal employment during the “Lavender Scare” that began in the 1950s and persisted through the 1960s, when thousands of civil servants were fired or barred from government jobs because of discriminatory animus.²⁰ Queer and trans people were barred from immigrating to the United

²⁰ John Yang & Claire Mufson, *How the Lavender Scare forced LGBTQ+ workers out of the federal government*, PBS News (June 30, 2024), <https://www.pbs.org/newshour/show/how-the-lavender-scare-forced-lgbtq-workers-out-of-the-federal-government>.

States by the Immigration and Nationality Act of 1952 until Congress repealed the ban in 1990.²¹ The military required the discharge of all openly gay or lesbian service members under the “Don’t Ask, Don’t Tell” Policy until 2011.²² Same-sex intimacy was criminalized under state laws and upheld by the Supreme Court in *Bowers v. Hardwick*, 478 U.S. 186 (1986), until the Court reversed itself in *Lawrence v. Texas*, 539 U.S. 558 (2003). And federal law again codified LGBTQIA+ discrimination through the Defense of Marriage Act (DOMA) of 1996, which denied recognition to same-sex marriage until it was struck down in part by *United States v. Windsor*, 570 U.S. 744 (2013), and fully invalidated by *Obergefell v. Hodges*, 576 U.S. 644 (2015). These changes, among countless others, were made possible only by the efforts of LGBTQIA+ activists and allies across generations. But these efforts came at a high cost, as survival and resiliency in the face of persecution often does.

37. Today, LGBTQIA+ people, and trans and intersex people in particular, continue to face higher levels of discrimination,²³ worse mental health outcomes,²⁴ and higher levels of violence²⁵ than their heterosexual, non-intersex, or cisgender counterparts. Trans and intersex

²¹ Kate Sosin, *Immigrating while queer: America has a complex history of exclusion*, The 19th (Nov. 24, 2026), <https://19thnews.org/2025/11/history-immigration-lgbtq-people-exclusion/>.

²² Megan Slack, *From the Archives: The End of Don’t Ask, Don’t Tell*, Obama White House Archives (Sept. 20, 2012), <https://obamawhitehouse.archives.gov/blog/2012/09/20/archives-end-dont-ask-dont-tell>.

²³ 17% of non-LGBTQIA+ adults reported experiencing discrimination in 2024, compared to 36% of LGBTQIA+ adults, and 62% percent of trans adults and 65% of intersex adults specifically. Caleb Smith & Haley Norris, *The LGBTQIA+ Community Reported High Rates of Discrimination in 2024*, Ctr. for Am. Progress (Mar. 12, 2025), <https://www.americanprogress.org/article/the-lgbtqi-community-reported-high-rates-of-discrimination-in-2024/>.

²⁴ *Id.* (10% of LGBTQIA+ adults rate their mental and physical health as having been excellent in the past year, as do only 3% of trans adults); Amy Rosenwohl-Mack et al., *A national study on the physical and mental health of intersex adults in the U.S.*, PLoS One (Oct. 9, 2020), <https://pmc.ncbi.nlm.nih.gov/articles/PMC7546494/> (53% of respondents reported fair or poor mental health); Ankit Rastogi et al., Health and wellbeing: A report of the 2022 U.S. Transgender Survey 74 (June 2025), https://transequality.org/sites/default/files/2025-06/USTS_2022Health%26WellbeingReport_WEB.pdf (44% of respondents met criteria for serious psychological distress, compared to less than 4% of the general U.S. population); Lindsey Dawson et al., *Mental Health Care Needs and Experiences Among LGBT+ People*, KFF (June 30, 2023), <https://www.kff.org/lgbtq/mental-health-care-needs-and-experiences-among-lgbt-people/>.

²⁵ Delphine Luneau, *New FBI Data: Anti-LGBTQ+ Hate Crimes Continue to Spike, Even as Overall Crime Rate Declines*, Hum. Rts. Campaign (Sept. 23, 2024), <https://www.hrc.org/press-releases/new-fbi-data-anti-lgbtq-hate-crimes-continue-to-spike-even-as-overall-crime-rate-declines>; Ilan H. Meyer & Andrew R. Flores, *Anti-LGBT*

youth are at an especially outsized risk of negative mental health outcomes,²⁶ which are presently worsening.²⁷ All these consequences compound when LGBTQIA+ people are also otherwise marginalized.²⁸

38. For these reasons, educating the public about policy issues impacting the LGBTQIA+ community is a core part of Plaintiff CCR’s institutional mission. So is ensuring that members of the LGBTQIA+ community are themselves knowledgeable and informed about their legal rights and significant legal developments. Because Plaintiff CCR can only accomplish these aims when it obtains full and accurate information about relevant legal or policy developments, CCR often relies on mechanisms such as FOIA where federal policies and agency action are concerned.²⁹

II. Background on Plaintiff CCR’s FOIA Requests

A. Background on the Anti-LGBTQIA+ Executive Orders

39. Following a presidential campaign marked by anti-LGBTQIA+ animus and slogans,³⁰ the Trump Administration began releasing a series of Executive Orders targeting the LGBTQIA+ community (collectively the “anti-LGBTQIA+ Executive Orders” or “Executive

Victimization in the United States 3 (Feb. 2025), <https://williamsinstitute.law.ucla.edu/wp-content/uploads/Anti-LGBT-Violence-Feb-2025.pdf> (“We found that LGBT people experienced 106.4 violent victimizations per 1,000 persons. . . . compared with 21.1 per 1,000 among non-LGBT persons.”).

²⁶ R. Nath et al., 2024 U.S. National Survey on the Mental Health of LGBTQ+ Young People (2024), https://www.thetrevorproject.org/survey-2024/assets/static/TTP_2024_National_Survey.pdf; Myeshia N. Price et al., The Mental Health and Well-being of LGBTQ Youth Who Are Intersex 3, 5-7 (Dec. 2021), <https://www.thetrevorproject.org/wp-content/uploads/2021/12/Intersex-Youth-Mental-Health-Report.pdf>.

²⁷ Ali Rogin & Claire Mufson, *Study finds LGBTQ+ youth mental health suffering in states with anti-trans laws*, PBS News (Oct. 20, 2024), <https://www.pbs.org/newshour/show/study-finds-lgbtq-youth-mental-health-suffering-in-states-with-anti-trans-laws>.

²⁸ Ilan H. Meyer & Andrew R. Flores, *supra* note 25, at 3 (LGBT rates of victimization by race/ethnicity show that Black (non-Hispanic) LGBT people had the highest rates of victimization overall, followed by Hispanic and white (non-Hispanic) LGBT people); Caleb Smith & Haley Norris, *supra* note 23 (LGBTQIA+ people of color and disabled LGBTQIA+ people experience higher rates of discrimination than their white and nondisabled counterparts).

²⁹ CCR’s consistent FOIA work has become broad enough for Plaintiff to run an Open Records Project. *See Open Records Project: FOIA for the Movement*, Ctr. for Const. Rts., <https://ccrjustice.org/FOIA>.

³⁰ Caitlin Yilek, *Trump Campaign Has Spent Millions on Anti-Trans Ads*, CBS News (Oct. 16, 2024), <https://www.cbsnews.com/news/trump-anti-trans-ads-spending/>.

Orders”). Rather than extending constitutional and statutory protections to LGBTQIA+ people, the anti-LGBTQIA+ Executive Orders seek to erase rights, restrict access to public life, and destabilize an already marginalized community.

40. On January 20, 2025, the day of the Presidential inauguration, the Administration issued “Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government” and “Ending Radical and Wasteful Government DEI Programs And Preferencing.”

41. Thereafter, the Administration issued the following executive orders in its first one hundred days: “Prioritizing Military Excellence and Readiness” Executive Order (issued on January 27, 2025); “Protecting Children from Chemical and Surgical Mutilation” Executive Order (issued on January 28, 2025); “Radical Indoctrination in K-12 Schooling” Executive Order (issued on January 29, 2025); “Keeping Men Out of Women’s Sports” Executive Order (issued on February 5, 2025); “Eradicating Anti-Christian Bias” Executive Order (issued on February 6, 2025); and “Improving Education Outcomes by Empowering Parents, States, and Communities” Executive Order (issued on March 20, 2025).

42. Executive Order 14168 titled “Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government” (“Defending Women’ Executive Order”) strictly enforces a binary definition of sex, eliminates all federal recognition of gender identity, removes “gender” entirely from federal forms, terminates funding for gender-affirming care, and prohibits trans individuals from accessing single-sex facilities consistent with their gender.³¹ Notably, this definition has been criticized as medically inaccurate and omits the

³¹ *Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government*, Exec. Order No. 14,168, *supra* note 9; Elana Redfield & Ishani Chokshi, *supra* note 8.

existence of intersex people.³²

43. Executive Order 14151 titled “Ending Radical and Wasteful Government DEI Programs and Preferencing” (hereinafter “‘DEI Programs’ Executive Order”) directed Defendant OMB to terminate all policies and programs related to “diversity, equity, inclusion, and accessibility” and required all federal agencies to report to OMB a list of all employees in “DEI” positions.³³

44. Executive Order 14183 titled “Prioritizing Military Excellence and Readiness” (hereinafter “‘Military Excellence’ Executive Order”) directed Defendants DOD and DHS to ban trans people from serving in the military, and deny them benefits.³⁴

45. Executive Order 14187 titled “Protecting Children from Chemical and Surgical Mutilation” (hereinafter “‘Protecting Children’ Executive Order”) withholds funding from programs that provide gender-affirming care, and directs agencies to prevent the provision of such care.³⁵

46. Executive Order 14190 titled “Radical Indoctrination in K-12 Schooling” (hereinafter “‘Radical Indoctrination’ Executive Order”) prohibits schools from recognizing LGBTQIA+ identity and students, and directs law enforcement to criminally prosecute educators and counselors who do so as having sexually exploited a minor, or practiced medicine without a

³² Alicia Roth Weigel, *Trump’s ‘Biological Truth’ Executive Order is Not Based in Biology or Truth*, Time (Jan. 23, 2025), <https://time.com/7209300/trumps-biological-truth-executive-order-is-not-true/>; *Trump’s Executive Order Ignores Science to Push Discriminatory Agenda*, *supra* note 8.

³³ *Ending Radical And Wasteful Government DEI Programs and Preferencing*, Exec. Order No. 14,151, 90 Fed. Reg. 8339 (Jan. 29, 2025), <https://www.federalregister.gov/documents/2025/01/29/2025-01953/ending-radical-and-wasteful-government-dei-programs-and-preferencing>.

³⁴ *Prioritizing Military Excellence and Readiness*, Exec. Order No. 14,183, *supra* note 13.

³⁵ *Protecting Children from Chemical and Surgical Mutilation*, Exec. Order No. 14,187, 90 Fed. Reg. 8711 (Feb. 3, 2025), <https://www.federalregister.gov/documents/2025/02/03/2025-02194/protecting-children-from-chemical-and-surgical-mutilation>.

license.³⁶

47. Executive Order 14201 titled “Keeping Men Out of Women’s Sports” (hereinafter “‘Women’s Sports’ Executive Order”) attempts to prevent trans female athletes from competing on girls’ and women’s sports teams and threatens to revoke federal funding from schools that allow them to do so.³⁷

48. Executive Order 14202 titled “Eradicating Anti-Christian Bias” directed Defendant DOJ to establish a task force to “eradicate anti-Christian bias.”³⁸

49. Executive Order 14242 titled “Improving Education Outcomes by Empowering Parents, States, and Communities” attempts to, *inter alia*, bar federal funding for “programs promoting gender ideology.”³⁹

50. Notably, many of the policy positions reflected in the anti-LGBTQIA+ Executive Orders were lifted directly from a policy document titled *Mandate for Leadership: The Conservative Promise*, otherwise known as “Project 2025,” authored by the conservative think tank the Heritage Foundation.⁴⁰

51. Project 2025 called for the removal of all references to “sexual orientation,”

³⁶ *Radical Indoctrination in K-12 Schooling*, Exec. Order No. 14,190, 90 Fed. Reg. 8853 (Feb. 3, 2025), <https://www.federalregister.gov/documents/2025/02/03/2025-02232/ending-radical-indoctrination-in-k-12-schooling>; Juan Perez Jr. & Mackenzie Wilkes, *Trump issues orders on K-12 ‘indoctrination,’ school choice and campus protests*, Politico (Jan. 29, 2025), <https://www.politico.com/news/2025/01/29/trump-k12-indoctrination-school-choice-campus-protests-education-00201235>; Lexi Lonas Cochran, *Trump signs executive order to defund schools teaching CRT, ‘radical gender ideology’*, The Hill (Jan. 29, 2025), <https://thehill.com/homenews/education/5113202-trump-schools-executive-order-crt-gender-ideology/>.

³⁷ *Keeping Men Out of Women’s Sports*, Exec. Order No. 14,201, 90 Fed. Reg. 9279 (Feb. 11, 2025), <https://www.federalregister.gov/documents/2025/02/11/2025-02513/keeping-men-out-of-womens-sports>.

³⁸ *Eradicating Anti-Christian Bias*, Exec. Order No. 14,202, 90 Fed. Reg. 9365 (Feb. 12, 2025), <https://www.federalregister.gov/documents/2025/02/12/2025-02611/eradicating-anti-christian-bias>.

³⁹ *Improving Education Outcomes by Empowering Parents, States, and Communities*, Exec. Order No. 14,242, 90 Fed. Reg. 13679 (Mar. 25, 2025), <https://www.federalregister.gov/documents/2025/03/25/2025-05213/improving-education-outcomes-by-empowering-parents-states-and-communities>.

⁴⁰ Herb Scribner, *Trump embraces Project 2025 after disavowing it during 2024 campaign*, Axios (Oct. 20, 2024), <https://www.axios.com/2025/10/02/trump-project-2025-russ-vought>.

“gender identity,” and “DEI” from every federal law, regulation, contract, grant and policy.⁴¹ With a particular penchant for anti-LGBTQIA+ policy, Project 2025 architects framed “transgender ideology” as dangerous propaganda and called for restructuring civil rights norms to reflect a binary, biological definition of sex and marriage rooted in Christian nationalist ideology and conflicting with both the lived experience of many trans and intersex people and scientific concepts of sex.⁴²

52. In line with Project 2025’s policy mandates, the anti-LGBTQIA+ Executive Orders take aim at critical rights: restricting access to medical care, travel, identification documents, and public accommodations by trans and intersex people. Beyond targeting trans and intersex people themselves, the Executive Orders also target the governmental and nongovernmental actors that serve them, including healthcare providers, researchers and even law firms.⁴³ Thus, the anti-LGBTQIA+ Executive Orders suggest that the Trump Administration has not only embraced Project 2025’s anti-LGBTQIA+ mandates, but that it intends to carry them out without question or hesitation.

53. Given the breadth and scope of these Executive Orders and the tremendous harm they portend to members of the LGBTQIA+ community, and trans and intersex people in particular, there is an urgent need for the public to understand how Defendant agencies are implementing the Executive Orders.

⁴¹Amanda Becker et al., *What You Need to Know About Project 2025*, The 19th (Nov. 7, 2024), <https://19thnews.org/2024/07/project-2025-women-education-lgbtq-workforce/>.

⁴² *See id.*

⁴³ E.g., blocking federal student loan relief for those who provide trans youth healthcare. Collin Binkley, *New Trump administration rule bars student loan relief for public workers tied to ‘illegal’ activity*, AP News (Oct. 30, 2025), <https://apnews.com/article/public-service-loan-forgiveness-debt-cancellation-62536bdb25f04b5138d2d0a2aecc4e58>; *see generally* Lindsey Dawson & Jennifer Kates, *Overview of President Trump’s Executive Actions Impacting LGBTQ+ Health*, KFF (Jan. 5, 2026), <https://www.kff.org/lgbtq/overview-of-president-trumps-executive-actions-impacting-lgbtq-health/>.

B. The Impact of the Anti-LGBTQIA+ Executive Orders

54. While much of Defendants’ implementation of this Administration’s Executive Orders has not been publicly disclosed, the information that has been made public already demonstrates their impact on LGBTQIA+ people will be staggering.

55. On January 29, 2025, Defendant OPM issued a Memorandum titled “Initial Guidance Regarding President Trump’s Executive Order *Defending Women*” (“OPM Guidance”) and subsequently announced that federal employee health insurance carriers must only provide two options for gender on insurance forms.⁴⁴ OPM then required all federal departments to revoke policies that were inclusive of trans people, and document those revocations—crucial documents Plaintiff seeks to access.⁴⁵ And per OPM, gender-affirming care will no longer be provided to federal employees.⁴⁶

56. Pursuant to the “Defending Women” Executive Order, Defendant DOS suspended all passport applications seeking a gender marker change or a nonbinary “X” marker,⁴⁷ which is being enforced while a constitutional challenge is pending.⁴⁸ In addition to prohibiting access to new documents, trans and intersex individuals who had already updated their federal identity documents to accurately reflect their gender have been forced to carry mismatched identification,

⁴⁴ Memorandum from Charles Ezell, Acting Dir., U.S. Off. of Pers. Mgmt. to Heads & Acting Heads of Dep’ts & Agencies, Initial Guidance Regarding President Trump’s Executive Order *Defending Women* (Jan. 29, 2025), <https://www.opm.gov/media/yv1h1r3i/opm-memo-initial-guidance-regarding-trump-executive-order-defending-women-1-29-2025-final.pdf>; U.S. Off. of Pers. Mgmt., Carrier Letter No. 2025-01A, Addendum to Call Letter for Plan Year 2026 (Jan. 31, 2025), <https://www.opm.gov/healthcare-insurance/carriers/fehb/2025/2025-1a.pdf>.

⁴⁵ Christopher Wiggins, *Federal HR office sets deadline for government-wide purge of transgender and nonbinary inclusion*, The Advocate (July 18, 2025), <https://www.advocate.com/news/opm-transphobic-memorandum-deadline>.

⁴⁶ U.S. Off. of Pers. Mgmt., Carrier Letter No. 2025-01B, Chemical and Surgical Sex-Trait Modification Services for Plan Year 2026 Proposals (Aug. 15, 2025), <https://www.opm.gov/healthcare-insurance/carriers/fehb/2025/2025-01b.pdf>

⁴⁷ Jaelyn Diaz, *Trump’s passport policy leaves trans, intersex Americans in the lurch*, *supra* note 12.

⁴⁸ *Trump v. Orr*, 146 S. Ct. 44 (2025); *see also* John Fritze & Devan Cole, *Supreme Court allows Trump to limit passport sex markers for trans and nonbinary Americans*, CNN (Nov. 6, 2025), <https://www.cnn.com/2025/11/06/politics/supreme-court-passport-sex-markers-transgender>.

creating daily risks of outing, harassment and denial of services during employment verification, travel, and interactions with law enforcement.⁴⁹

57. Defendant DOS also removed mention of and resources for trans travellers from its international travel advisories.⁵⁰

58. Pursuant to the “Defending Women” Executive Order, Defendant HHS ended funding for the specialized suicide prevention services for LGBTQIA+ youth. The suicide prevention lifeline, which has served 1.3 million contacts since its 2022 launch, ended service in July 2025.⁵¹

59. The Lancet, the leading independent international medical journal, found Defendant HHS had quietly modified data sets, potentially pursuant to the “Defending Women” Executive Order.⁵²

60. The Centers for Disease Control and Prevention (“CDC”), a component of HHS, ordered the retraction of unpublished research that included terms related to LGBTQIA+ people, such as: gender, transgender, pregnant person, pregnant people, LGBT, transsexual, non-binary, nonbinary, assigned male at birth, assigned female at birth, biologically male, and biologically female.⁵³ The CDC also removed from its website all mentions of trans people or gender

⁴⁹ *Identity Document Guidance for Transgender, Nonbinary, Gender-Nonconforming, and Intersex People*, Lambda Legal (Nov. 20, 2025), <https://lambdalegal.org/tgnc-checklist-under-trump/>.

⁵⁰ Erin Reed, *State Department Travel Safety Website Removes Recognition of Trans People*, Truthout (Feb. 4, 2025), <https://truthout.org/articles/state-department-travel-safety-website-removes-recognition-of-trans-people/>.

⁵¹ Rhitu Chatterjee, *Trump administration ends 988 Lifeline’s special service for LGBTQ+ young people*, NPR (July 19, 2025), <https://www.npr.org/sections/shots-health-news/2025/07/19/nx-s1-5472593/988-suicide-crisis-lifeline-lgbtq/>.

⁵² Janet Freilich & Aaron S. Kesselheim, *Data manipulation within the US Federal Government*, 406 *The Lancet* 227, 227 (2025), [https://www.thelancet.com/journals/lancet/article/PIIS0140-6736\(25\)01249-8/fulltext](https://www.thelancet.com/journals/lancet/article/PIIS0140-6736(25)01249-8/fulltext).

⁵³ Julie Steenhuysen & Nancy Lapid, *CDC orders pullback of new scientific papers involving its researchers, source says*, Reuters (Feb. 3, 2025), <https://www.reuters.com/world/us/us-cdc-orders-pullback-new-scientific-papers-involving-its-researchers-source-2025-02-02/>.

identity⁵⁴ and stopped processing *any* data related to trans people.⁵⁵

61. Under the “Defending Women” Executive Order, the federal government ceased collecting data related to LGBTQIA+ communities, halting statistical and research efforts related to bias incidents, homelessness, healthcare, and other initiatives requiring demographic information and contributing to a dearth in service provision and budget allocation.⁵⁶

62. The National Institute of Health, a component of Defendant HHS, terminated grants studying the health of LGBTQIA+ people, including studies on cancer and youth suicide.⁵⁷ The termination of hundreds of grants funding research on LGBTQIA+ people’s health pursuant to the Executive Order is being challenged in federal court, and is currently enjoined.⁵⁸

63. Pursuant to the “Defending Women” Executive Order, the Bureau of Prisons, a component of Defendant DOJ, began transferring trans women to men’s prisons,⁵⁹ and cutting off necessary medical care.⁶⁰ These transfers have been halted due to a preliminary injunction.⁶¹ Nonetheless, the BOP released new policies on February 19, 2026 again banning access to care.⁶² The BOP also stopped reporting the number of people imprisoned who are trans, and the DOJ

⁵⁴ Abby Vesoulis, *Trump’s War on Gender is Accelerating*, Mother Jones (Feb. 1, 2025), <https://www.motherjones.com/politics/2025/02/trumps-transgender-pronouns-gender-cdc/>.

⁵⁵ Theresa Gaffney, *CDC will no longer process transgender data*, StatNews (Feb. 25, 2025), <https://www.statnews.com/2025/02/25/cdc-will-no-longer-process-transgender-data/>.

⁵⁶ Movement Advancement Project, *The Federal SOGI Data Landscape Under the Second Trump Administration: One Year in Review* (Feb. 2026), <https://www.mapresearch.org/file/SOGI-data-landscape-brief-MAP.pdf>; Lauren Bouton & Elana Redfield, *Removal of Sexual Orientation and Gender Identity from Federal Data Collections January 2025 to January 2026* (Feb. 2026), <https://williamsinstitute.law.ucla.edu/wp-content/uploads/Federal-SOGI-Data-Collection-Feb-2026.pdf>.

⁵⁷ Carla K. Johnson, *Trump administration cancels at least 68 grants focused on LGBTQ health questions*, AP News (Mar. 24, 2025), <https://apnews.com/article/lgbtq-research-grants-terminated-trump-5b2810312de1420ca3df875314b0a1e9>.

⁵⁸ *Am. Ass’n of Physicians for Hum. Rts., Inc. v. Nat’l Insts. of Health*, 795 F. Supp. 3d 678 (D. Md. 2025).

⁵⁹ Beth Schwartzapfel, *‘Fear for Their Lives’: Trans Women Federal Prisoners Told They Will Be Housed With Men*, The Marshall Project (Feb. 25, 2025), <https://www.themarshallproject.org/2025/02/21/transgender-federal-prisoner-transfers>.

⁶⁰ See Lindsey Dawson & Jennifer Kates, *supra* note 43.

⁶¹ *Kingdom v. Trump*, No. 1:25-CV-691-RCL, 2025 WL 1568238 (D.D.C. June 3, 2025); Zach Schonfeld, *Judge blocks Trump’s order forcing incarcerated transgender women to live in male facilities*, The Hill (Feb. 4, 2025), <https://thehill.com/regulation/court-battles/5127118-transgender-women-prison-housing-ruling/>.

⁶² See *supra* note 10.

eliminated policies meant to protect LGBTQIA+ people in prison from sexual assault.⁶³

64. Pursuant to the “Defending Women” Executive Order, Defendant DHS’s Office of Intelligence and Analysis removed rules that prohibited it from surveilling people based solely on their LGBTQIA+ status.⁶⁴ U.S. Customs and Border Protection, a component of DHS, issued regulations that would force anyone whose passport bears a non-binary gender marker to select a male or female binary gender to input into the system at entry, or have the airline select for them.⁶⁵

65. Pursuant to the “Defending Women” Executive Order, Defendant HUD stopped prohibiting gender identity discrimination in federally-funded housing and shelter programs⁶⁶ and implemented a rule that allows HUD to deny funding to any such program that serves trans people.⁶⁷

66. Pursuant to the “Defending Women” Executive Order, Defendant SSA stopped accepting or processing changes to gender markers on all social security records.⁶⁸

67. Altogether, the “Defending Women” Executive Order faces a total of 20 legal challenges against its enforcement, with judgment already rendered in two cases in favor of

⁶³ Sam Levin, *DoJ moves to eliminate sexual abuse protections for LGBTQ+ people in prisons*, The Guardian (Dec. 5, 2025), <https://www.theguardian.com/us-news/2025/dec/05/doj-prison-lgbtq-sexual-abuse-protections>.

⁶⁴ Ellen M. Gilmer, *DHS Scraps Ban on Surveillance Based on Sexual Orientation*, Bloomberg Gov’t (Feb. 18, 2025), <https://news.bgov.com/bloomberg-government-news/trumps-dhs-loosens-sexual-orientation-based-surveillance-policy>.

⁶⁵ U.S. Customs & Border Prot. Carrier Liaison Program, Sex Codes “M” or “F” in Systems (July 7, 2025), https://www.cbp.gov/sites/default/files/2025-07/clp_bulletin_executive_order_on_m-f_gender_20250707.pdf.

⁶⁶ HUD Secretary Turner Halts Equal Access Rule Enforcement, Nat’l Low Income Hous. Coal. (Feb. 10, 2025), <https://nlihc.org/resource/hud-secretary-turner-halts-equal-access-rule-enforcement>.

⁶⁷ Jason DeParle, *Trump Administration Proposes a Drastic Cut in Housing Grants*, N.Y. Times (Nov. 12, 2025), <https://www.nytimes.com/2025/11/12/us/politics/trump-homeless-funding.html>.

⁶⁸ Samantha Riedel, *The Social Security Administration Is No Longer Allowing Changes to Gender Markers*, Them (Feb. 5, 2025), <https://www.them.us/story/social-security-administration-no-longer-allowing-changes-gender-markers>.

plaintiffs and another favorably settled.⁶⁹

68. Pursuant to the “DEI Programs” Executive Order as well as an additional executive order issued the following day sanctioning discrimination,⁷⁰ federal agencies eliminated DEI programs and effectively stripped nearly 14,000 trans federal employees and over 100,000 LGBTQIA+ employees of federal contractors of explicit nondiscrimination protections, creating heightened vulnerability to harassment, denial of promotion and termination without legal recourse.⁷¹

69. Enforcement of the “DEI Programs” Executive Order also resulted in *de facto* mass layoffs of LGBTQIA+ federal employees. Lists were compiled not only of employees whose job functions related to DEI, but also of employees who never worked such posts, but had merely taken part in diversity trainings, workshops, or affinity groups; people on these lists were fired or placed on administrative leave *en masse*.⁷²

70. For example, Defendant OPM put employees whose job functions were unrelated to DEI but took part in DEI-related programming on administrative leave awaiting termination.⁷³ OPM also encouraged employees to report coworkers who had ever participated in DEI

⁶⁹ *Trump Anti-LGBTQ+ Executive Order Litigation Tracker*, Nat’l LGBTQ+ Bar Ass’n & Found., <https://lgbtqbar.org/programs/advocacy-resources/trump-executive-order-tracker/> (last visited Feb. 27, 2026).

⁷⁰ *Ending Illegal Discrimination and Restoring Merit-Based Opportunity*, Exec. Order No. 14,173, *supra* note 9.

⁷¹ Memorandum from Charles Ezell, Acting Dir., U.S. Off. of Pers. Mgmt. to Heads & Acting Heads of Dep’ts & Agencies, Guidance Regarding RIFs of DEIA Offices (Jan. 24, 2025), <https://www.opm.gov/media/0gpnja24/opm-memo-guidance-regarding-rifs-of-deia-offices-1-24-2025.pdf>; Brad Sears, Impact of Executive Order Revoking Non-Discrimination Protections for LGBTQ Federal Employees and Employees of Federal Contractors (Jan. 2025), <https://williamsinstitute.law.ucla.edu/wp-content/uploads/Federal-ND-Protections-EO-Jan-2025.pdf>.

⁷² Laura Meckler, Hannah Natanson & Julian Mark, *Trump’s DEI purge targets federal workers who did not work in DEI*, Wash. Post (Feb. 1, 2025), <https://www.washingtonpost.com/education/2025/02/01/trump-dei-energy-education-departments/>; Christopher Wiggins, *Trump’s Project 2025 White House orders mass firings of DEI employees across federal government*, The Advocate (Jan. 22, 2025), <https://www.advocate.com/politics/trump-orders-mass-dei-firings>.

⁷³ Meckler, Natanson & Mark, *supra* note 72.

programming—effectively a minority snitch line.⁷⁴

71. Pursuant to the “DEI Programs” Executive Order, Defendant DOD compiled lists of all officers that supported diversity, including nonwhite officers unfoundedly accused of receiving their jobs because of their minority status,⁷⁵ and fired them.⁷⁶ Its component the Defense Intelligence Agency eliminated employee affinity groups and stopped recognizing holidays commemorating civil rights advancements, like Martin Luther King Day, Holocaust Remembrance Day, Black History Month, and Pride Month.⁷⁷ Museums were directed to remove displays celebrating women and people of color, as well as trans service members.⁷⁸

72. As part of the federal government’s anti-DEI initiatives, Defendant DOJ has been ordered to explore *criminal investigations* among other efforts to deter implementation of DEI policies,⁷⁹ notwithstanding the fact that the “DEI Programs” Executive Order is facing multiple pending legal challenges.⁸⁰

73. When trans service members were discharged pursuant to the “Military Excellence” Executive Order, their discharge code labeled them a threat to national security,

⁷⁴ Chris Stein, ‘*Very retaliatory*’: the federal workers caught up in Trump’s DEI purge, The Guardian (Feb. 2, 2025), <https://www.theguardian.com/us-news/2025/feb/02/trump-dei-purge-federal-government>.

⁷⁵ Trump fires Black joint chiefs chair Hegseth accused of promoting diversity, The Guardian (Feb. 2, 2025), <https://www.theguardian.com/us-news/2025/feb/21/trump-hegseth-joint-chiefs-cq-brown-jr>.

⁷⁶ Tara Copp & Lolita C. Baldor, Military leaders are rattled by a list of ‘woke’ officers that a group urges Hegseth to fire, AP News (Dec. 6, 2024), <https://apnews.com/article/hegseth-trump-diversity-pentagon-list-602477b6e80641b53f4f9b640a14f4ce>.

⁷⁷ Eleanor Watson & Kathryn Watson, Pentagon’s intelligence arm pausing MLK, Holocaust Remembrance and other observations, CBS News (Jan. 31, 2025), <https://www.cbsnews.com/news/pentagon-intelligence-arm-dia-pausing-dei-mlk-holocaust-remembrance-and-other-observations/>; Ken Dilanian et al., Federal agencies bar Black History Month and other ‘special observances’, NBC News (Jan. 31, 2025), <https://www.nbcnews.com/politics/donald-trump/defense-agency-bans-black-history-month-rcna190189>.

⁷⁸ Michelle Del Rey, Army museum covers display honoring transgender soldiers, The Independent (Feb. 8, 2025), <https://www.independent.co.uk/news/world/americas/army-museum-transgender-soldiers-b2694440.html>.

⁷⁹ Jeremy Stahl & Mark Joseph Stern, Pam Bondi Instructs Trump DOJ to Criminally Investigate Companies That Do DEI, Slate (Feb. 5, 2025), <https://slate.com/news-and-politics/2025/02/pam-bondi-trump-doj-memo-prosecute-dei-companies.html>; Memorandum from Pam Bondi, U.S. Att’y Gen. to All Dep’t Emps., Ending Illegal DEI and DEIA Discrimination and Preferences (Feb. 5, 2025), <https://www.justice.gov/ag/media/1388501/dl?inline>.

⁸⁰ Trump Anti-LGBTQ+ Executive Order Litigation Tracker, *supra* note 69.

which may prevent future job prospects and potential for security clearance.⁸¹ This is being enforced pending a legal challenge.⁸² The Executive Order also denied retirement benefits to trans service members who would otherwise be eligible.⁸³

74. Pursuant to the “Protecting Children” Executive Order, Defendant HHS rescinded prior interpretations of the Affordable Care Act that prohibited discrimination based on gender identity, resulting in insurers denying coverage for gender-affirming surgeries and hormone replacement therapy, even when medically necessary.⁸⁴

75. Pursuant to the “Protecting Children” Executive Order, Defendant DOJ subpoenaed hospitals for complete records of trans patients under the age of 19, including their names, social security numbers, and medical history.⁸⁵ On February 11, 2026, HHS announced that it would undertake investigations of four major LGBTQIA+ health clinics due to their provision of care.⁸⁶

76. The “Protecting Children” Executive Order is facing multiple legal challenges,⁸⁷ and portions of its enforcement are currently blocked nationwide.⁸⁸ Nonetheless, the Centers for Medicare and Medicaid Services promulgated proposed rules in December 2025 that would ban

⁸¹ James LaPorta & Eleanor Watson, *Army document outlines plans for expelling transgender troops from military*, CBS News (May 31, 2025), <https://www.cbsnews.com/news/army-transgender-troops-expel-guidelines/>.

⁸² Amy Howe, *Supreme Court allows Trump to ban transgender people from military*, SCOTUS Blog (May 6, 2025), <https://www.scotusblog.com/2025/05/supreme-court-allows-trump-to-ban-transgender-people-from-military/>.

⁸³ Konstantin Toropin, *US Air Force to deny retirement pay to transgender service members being separated from the service*, AP News (Aug. 7, 2025), <https://apnews.com/article/air-force-transgender-no-early-retirement-e6a4da806f2cc2bdc05f49438cbd26fd>.

⁸⁴ Memorandum from Anthony F. Archeval, Acting Dir., HHS Off. for Civ. Rts., Rescission of “HHS Notice and Guidance on Gender Affirming Care, Civil Rights and Patient Privacy” (issued March 2, 2022) (Feb. 20, 2025), <https://www.hhs.gov/sites/default/files/ocr-rescission-february-20-2025-notice-guidance.pdf>.

⁸⁵ Casey Parks & David Ovalle, *Government’s demand for trans care info sought addresses, doctors’ notes, texts*, Wash. Post (Aug. 20, 2025), <https://www.washingtonpost.com/nation/2025/08/20/subpoena-transgender-care-minors/>.

⁸⁶ Erin Reed, *Trump Administration Targets Major LGBTQ+ Health Care Centers In Latest Legal Attack*, Erin in the Morning (Feb. 12, 2026), <https://www.erininthemorning.com/p/trump-administration-targets-major>.

⁸⁷ *Trump Anti-LGBTQ+ Executive Order Litigation Tracker*, *supra* note 69.

⁸⁸ *PFLAG, Inc. v. Trump*, 769 F. Supp. 3d 405 (D. Md. 2025).

youth care, with the notable exception of nonconsensual surgeries on intersex infants and children.⁸⁹

77. The “Radical Indoctrination” Executive Order threatens to revoke funding from all schools found in violation,⁹⁰ and has caused publicly funded media to remove LGBTQIA+ history curricula and materials from their websites.⁹¹

78. Pursuant to the “Radical Indoctrination” Executive Order, Defendant DOD removed “materials about slavery, Native American history, LGBTQ identities and history, and preventing sexual harassment and abuse” from the curriculum in schools managed by the DOD. This is currently being challenged in federal court.⁹²

79. The Administration also threatened to cut funding to Minnesota public schools pursuant to the “Women’s Sports” Executive Order because of their refusal to bar trans girls from competing in sports⁹³ and roll back the civil rights of trans people pursuant to the “Defending Women” Executive Order, prompting the Minnesota Attorney General to bring a federal challenge to the enforcement of these two Executive Orders.⁹⁴

80. Pursuant to the “Women’s Sports” Executive Order, Defendant DOE’s new policies have left thousands of trans students uncertain about whether they will be able to safely use locker rooms or participate in extracurricular activities without facing discipline or forced

⁸⁹ See *supra* note 17.

⁹⁰ Nico Lang, *How Trump’s “Radical Indoctrination” Executive Order Targets Trans Youth in Schools*, Them (Jan. 31, 2025), <https://www.them.us/story/how-trump-radical-indoctrination-executive-order-targets-trans-youth-schools>.

⁹¹ Alex Zimmerman, *NYC Schools Restore LGBTQ Videos Yanked by PBS Following Trump Executive Order*, The City (Feb. 19, 2025), <https://www.thecity.nyc/2025/02/19/lgbtq-history-videos-pbs-donald-trump/>.

⁹² *EK v. Department of Defense Education Activity*, ACLU of Va. (Oct. 24, 2025), <https://www.acluva.org/cases/ek-v-department-defense-education-activity/>.

⁹³ Kate Sosin, *Minnesota targeted by federal government over trans girls in sports*, The 19th (Jan. 26, 2026), <https://19thnews.org/2026/01/minnesota-schools-targeted-trans-girls-in-sports/>.

⁹⁴ Press Release, Off. of Minn. Att’y Gen. Keith Ellison, Attorney General Ellison sues to ‘stop Trump from bullying vulnerable children’ in Minnesota (Apr. 22, 2025), https://www.ag.state.mn.us/Office/Communications/2025/04/22_EO_TitleIX.asp.

disclosure.⁹⁵

81. Pursuant to the “Women’s Sports” and “Defending Women” Executive Orders, Defendant DOS has issued policies that could permanently ban entry to the United States for trans visa applicants,⁹⁶ reminiscent of the Immigration and Nationality Act of 1952 ban on all LGBTQIA+ immigrants.

82. This Administration has not shown any interest in slowing down. In just the past year, motivated by the same animus underlying the anti-LGBTQIA+ Executive Orders, the Administration has:

- A. Directed the DOJ to limit the right of trans people to own firearms;⁹⁷
- B. Had U.S. Attorney General Pam Bondi issue a memo to the FBI directing it to establish cash bounties for information leading to the arrests of trans activists among other rights organizers, labelling them leaders of “*domestic terrorist organizations*” who promote “radical gender ideology”;⁹⁸

⁹⁵ Elana Redfield, The Impact of Transgender Sports Participation Bans on Transgender People in the US (Feb. 2025), <https://williamsinstitute.law.ucla.edu/wp-content/uploads/Trans-Sports-Ban-EO-Feb-2025.pdf>. For example, the DOE sent a letter to college and high school athletics associations demanding they rescind awards and titles won by trans women athletes. Brooke Migdon, *Education Department calls for school sports organizations to strip trans athletes of titles, awards*, The Hill (Feb. 12, 2025), <https://thehill.com/homenews/lgbtq/5140745-education-department-trans-athletes-trump-executive-order-ncaa-nflhs/>. It also launched investigations of schools and athletics groups with trans women athletes. Press Release, U.S. Dep’t of Educ., U.S. Department of Education to Investigate Title IX Violations in Athletics (Feb. 6, 2025), <https://www.ed.gov/about/news/press-release/us-department-of-education-investigate-title-ix-violations-athletics>.

⁹⁶ Grace Abels, *Trump’s transgender athlete order includes an immigration fraud penalty. Why?*, Politifact (Feb. 20, 2025), <https://www.politifact.com/article/2025/feb/20/trumps-transgender-athlete-order-includes-an-immig/>; Josh Marcus, *State Department visa policy could bar trans people from traveling to U.S. as part of Trump agenda on women’s sports*, The Independent (Feb. 27, 2025), <https://www.independent.co.uk/news/world/americas/marco-rubio-state-transgender-visa-b2704734.html>.

⁹⁷ Evan Perez & Hannah Rabinowitz, *Trump DOJ is looking at ways to ban transgender Americans from owning guns, sources say*, CNN (Sept. 4, 2025), <https://www.cnn.com/2025/09/04/politics/transgender-firearms-justice-department-second-amendment>.

⁹⁸ James Factora, *Pam Bondi Directs FBI to Offer Cash Bounty for Promoters of “Radical Gender Ideology”*, Them (Dec. 16, 2025), <https://www.them.us/story/pam-bondi-doj-fbi-cash-bounty-radical-gender-ideology-nihilistic-violent-extremists>; Christopher Wiggins, *Pam Bondi wants FBI to offer bounties for ‘radical gender ideology’ groups, leaked memo shows*, The Advocate (Dec. 17, 2025), <https://www.advocate.com/politics/pam-bondi-trans-equality-bounties>.

- C. Proposed regulations that would effectively end the provision of trans youth healthcare in the country by prohibiting doctors and hospitals from receiving federal Medicaid reimbursement and blocking all Medicaid and Medicare funding for all facilities that provide any gender-affirming care services to minors;⁹⁹
- D. Issued an FDA warning letter to businesses selling gender-affirming clothing, accusing them of selling misbranded “medical devices” and subjecting them to expensive audits and threatening them with “regulatory action”;¹⁰⁰
- E. Directed the DOJ to revise the Prison Rape Elimination Act standards such that the BOP will no longer be audited for the safety regulations related to incarcerated trans and intersex people;¹⁰¹ and
- F. Refused to comply with a federal law that requires reporting data on trans and intersex people in ICE custody.¹⁰²

83. Every protection fought for and won by the LGBTQIA+ community since Plaintiff CCR’s founding is currently being met with backlash by the Administration and efforts seeking to curtail it. Moreover, since the Administration has made clear that anti-LGBTQIA+ animus is its policy priority, the climate will only worsen.

84. For example, although policies that categorically banned trans people from military service were rescinded in 2016, this Administration immediately reinstated a trans

⁹⁹ Selena Simmons-Duffin, *RFK Jr. and Dr. Oz announce moves to ban gender-affirming care for young people*, NPR (Dec. 18, 2025), <https://www.npr.org/sections/shots-health-news/2025/12/18/nx-s1-5647789/transgender-gender-affirming-care-rfk-jr-dr-oz-trump>; see also *supra* note 17.

¹⁰⁰ Ryan Adamczeski, *Trump’s FDA sends warning letters to companies selling chest binders*, The Advocate (Dec. 19, 2025), <https://www.advocate.com/politics/fda-warning-letters-chest-binders>.

¹⁰¹ Jaelyn Diaz, *DOJ orders prison inspectors to stop considering LGBTQ safety standards*, NPR (Dec. 4, 2025), <https://www.npr.org/2025/12/04/nx-s1-5630490/prison-doj-safety-memo-changes-trans-lgbtq-inmates>.

¹⁰² *ICE is Excluding Data on Transgender People in Detention*, Vera Inst. of Just. (June 30, 2025), <https://www.vera.org/news/ice-is-excluding-data-on-transgender-people-in-detention>.

military service ban via Executive Order in 2025.¹⁰³ And, eerily reminiscent of the era of “Don’t Ask Don’t Tell,” displaying a Pride flag on a desk is again a cause for putting employees on administrative leave.¹⁰⁴ At the same time, this Administration has removed the Pride flag from the Stonewall National Monument,¹⁰⁵ a national monument created and dedicated to recognizing the LGBTQIA+ rights movement. And in his recent State of the Union address, President Trump foreshadowed an intent to engage in further attacks against trans people.¹⁰⁶

85. Instead of being a bulwark against the Administration’s targeting of LGBTQIA+ people, federal legislators have joined suit: just last year, the House of Representatives passed a bill that criminalizes parents and doctors for providing trans youth life-saving healthcare, making the provision of trans healthcare to minors a felony punishable by up to *10 years in prison*.¹⁰⁷

86. The collective impact of the anti-LGBTQIA+ Executive Orders reverberates well beyond the federal government: state legislatures have interpreted the Administration’s actions as wholesale permission to scapegoat and curtail the rights of LGBTQIA+ people. Since the release of the anti-LGBTQIA+ Executive Orders in 2025, multiple state bills have been introduced that are modeled after, and in the spirit of, the Executive Orders:

- A. The governor of Iowa signed a bill to strip trans people entirely from the state’s Civil Rights Act and eliminate gender-marker updates on birth certificates;¹⁰⁸

¹⁰³ See *supra* ¶¶ 5, 44, 73.

¹⁰⁴ Josh Dinner, *NASA allegedly orders employees to purge workspaces of LGBTQI+ symbols: Report*, Space.com (Feb. 11, 2025), <https://www.space.com/space-exploration/nasa-verbally-orders-employees-to-purge-workspaces-of-lgbtqi-symbols>.

¹⁰⁵ Liam Stock, Jonathan Wolfe & Yan Zhuang, *Pride Flag Is Removed From Stonewall Monument After Trump Directive*, N.Y. Times (Feb. 10, 2026), <https://www.nytimes.com/2026/02/10/us/pride-flag-stonewall-inn-monument.html>.

¹⁰⁶ Christopher Wiggins, *Trump uses State of the Union to demonize transgender kids and their families*, The Advocate (Feb. 25, 2026), <https://www.advocate.com/politics/national/trump-sotu-targets-trans-kids>.

¹⁰⁷ Melody Schreiber, *House passes bill criminalising gender-affirming care and eyes Medicaid ban*, The Guardian (Dec. 17, 2025), <https://www.theguardian.com/us-news/2025/dec/17/house-bills-ban-gender-affirming-care-children>.

¹⁰⁸ Hannah Fingerhut, *Iowa’s governor signs a bill removing gender identity protections from the state’s civil rights code*, AP News (Feb. 28, 2025), <https://apnews.com/article/iowa-transgender-identity-bill-governor->

- B. Kansas passed a law that immediately invalidated *all* trans Kansans' driver's licenses and banned them from using restrooms aligned with their gender over the governor's veto.¹⁰⁹ Kansas also adopted the "Help Not Harm Act" (S.B. 63) over the governor's veto, banning gender-affirming care for minors and requiring those already receiving such care to cease treatment by the end of 2025;¹¹⁰
- C. The Wyoming legislature passed House Bill 72, which prohibits trans people from using public restrooms, locker rooms, and other facilities aligning with their gender, and even allows private citizens to sue facilities that fail to enforce the ban;¹¹¹ and
- D. Texas passed a law that bars trans people from using bathroom facilities in state-funded buildings or being placed in gender-segregated shelters or prisons that align with their gender, and violations may incur fines of up to \$125,000 per day.¹¹²

87. These are but a few of the unrelenting attacks on the rights of trans people

[reynolds-signs-267c2932e9e1ed62992868d3caa6126d](https://www.iowapublicradio.org/ipr-news/2025-07-01/civil-rights-discrimination-protections-transgender-nonbinary-iowans); Meghan McKinney, *Few anti-discrimination protections remain for transgender Iowans*, Iowa Pub. Radio (July 1, 2025), <https://www.iowapublicradio.org/ipr-news/2025-07-01/civil-rights-discrimination-protections-transgender-nonbinary-iowans>.

¹⁰⁹ Sherman Smith & Morgan Chilson, *Trans Kansans struggle with Legislature's 'cruelty' as driver's licenses are invalidated*, Kan. Reflector (Feb. 26, 2026), <https://kansasreflector.com/2026/02/26/trans-kansans-struggle-with-reality-of-legislatures-cruelty-as-drivers-licenses-are-invalidated/>.

¹¹⁰ Blaise Mesa, *Kansas Republicans close to banning gender-affirming care for minors*, The Beacon (Jan. 30, 2025), <https://thebeaconnews.org/stories/2025/01/30/gender-affirming-care-for-minors-could-soon-be-banned-in-kansas-with-sb-63/>; John Hanna, *Kansas bans gender-affirming care for minors after GOP lawmakers reverse the governor's veto*, AP News (Feb. 18, 2025), <https://apnews.com/article/transgender-health-care-minors-kansas-07d1d75b82f3c7f9f6bc9b7daf02d8e9>.

¹¹¹ Chris Clements, *Trans people in Wyoming are now banned from certain spaces*, Wyo. Pub. Radio (Mar. 7, 2025). <https://www.wyomingpublicmedia.org/politics-government/2025-03-07/trans-people-in-wyoming-are-now-banned-from-certain-spaces>.

¹¹² Ayden Runnels, *Texas is restricting the bathrooms trans people can use in government buildings. Here's how the law works.*, Tex. Trib. (Dec. 4, 2025), <https://www.texastribune.org/2025/12/01/texas-senate-bill-8-bathroom-restrictions-law/>; Ayden Runnels, *Enforcement of Texas' "bathroom bill" draws challenges as colleges, cities implement new policies*, Tex. Trib. (Dec. 12, 2025), <https://www.texastribune.org/2025/12/12/texas-bathroom-bill-implementation-policy-capitol/>.

nationwide. In just 2025 alone, 126 anti-trans bills were passed in 29 states and federally.¹¹³ In contrast, 18 anti-trans state bills were passed in 2021.¹¹⁴ Some have characterized these actions by both state and federal governments as attempts to “denationalize” trans people, i.e., exclude them from society by curtailing their legal rights.¹¹⁵

88. The unprecedented levels of uncertainty that the Administration’s Executive Orders have created for LGBTQIA+ community members underscore the strong public interest in receiving information from the federal government as to its ongoing implementation of the Orders—information that Plaintiff CCR has sought from Defendants unsuccessfully through the FOIA process.

III. Plaintiff’s FOIA Requests

89. Between February and May 2025, Plaintiff sent four related FOIA requests to Defendant agencies concerning their implementation of the Anti-LGBTQIA+ executive orders.

90. On February 18, 2025, Plaintiff sent a FOIA Request (“February FOIA,” attached hereto as Exhibit A to the Complaint) pursuant to 5 U.S.C §§ 552 *et seq.* to Defendant Federal Bureau of Prisons (“BOP”). Plaintiff’s Request sought records and communications related to or containing policies, procedures, guidelines, and instructions regarding how the BOP implemented the “Defending Women” Executive Order.

91. On April 29, 2025, Plaintiff sent a FOIA Request (“April FOIA,” attached hereto as Exhibit B to the Complaint) pursuant to 5 U.S.C. §§ 552 *et seq.* to Defendants DOJ, HHS, DOS, DHS, FCC, SSA, DOI, DOD, USAID, Treasury, VA, EEOC, HUD, OPM, and OMB.

¹¹³ *What anti-trans bills passed in 2025?*, Trans Litig. Tracker, <https://translegislation.com/bills/2025/passed> (last visited Feb. 24, 2026).

¹¹⁴ *Tracking the rise of anti-trans bills in the U.S.*, Trans Litig. Tracker, <https://translegislation.com/learn> (last visited Mar. 3, 2026).

¹¹⁵ See, e.g., M. Gessin, *The Hidden Motive Behind Trump’s Attacks on Trans People*, N.Y. Times (Mar. 17, 2025), <https://www.nytimes.com/2025/03/17/opinion/trump-trans-denationalizing.html>.

Plaintiff's April FOIA sought records and communications related to or containing policies, procedures, guidelines, and instructions regarding how various federal executive agencies interpret and plan to enforce the anti-LGBTQIA+ Executive Orders as well as the accompanying OPM Guidance.

92. On April 29, 2025, Plaintiff sent a FOIA Request ("DOE FOIA," attached hereto as Exhibit C to the Complaint) pursuant to 5 U.S.C. §§ 552 *et seq.* to Defendant DOE. Plaintiff's Request sought records and communications related to or containing policies, procedures, guidelines, and instructions regarding how Defendant DOE interprets and plans to enforce various Executive Orders impacting LGBTQIA+ individuals.

93. On May 27, 2025, Plaintiff sent an additional FOIA Request ("HHS FOIA," attached hereto as Exhibit D to the Complaint) pursuant to 5 U.S.C. §§ 552 *et seq.* to Defendant HHS. Plaintiff's Request sought information about the May 1, 2025 report *Treatment for Pediatric Gender Dysphoria: Review of Evidence and Best Practices*,¹¹⁶ which Defendant HHS published without the names nor descriptions of the expertise of its authors, any explanation about the process of developing the Report, or an account of the peer-review process that the Agency's press release indicated took place.¹¹⁷

94. Plaintiff CCR's Requests all sought expedited processing under 5 U.S.C. § 552(a)(6)(E)(i)(I), citing a "compelling need" to inform the public of the policies and decision-making regarding the unprecedented and highly selective federal government rescission and

¹¹⁶ U.S. Dep't of Health & Hum. Servs., *Treatment for Pediatric Gender Dysphoria: Review of Evidence and Best Practices* (May 1, 2025), <https://opa.hhs.gov/sites/default/files/2025-05/gender-dysphoria-report.pdf>.

¹¹⁷ Press Release, U.S. Dep't of Health & Hum. Servs., *HHS Releases Comprehensive Review of Medical Interventions for Children and Adolescents with Gender Dysphoria* (May 1, 2025), <https://www.hhs.gov/press-room/gender-dysphoria-report-release.html> ("Chapters of this review were subject to peer review prior to this publication, and a post-publication peer review will begin in the coming days involving stakeholders with different perspectives. Names of the contributors to the review are not initially being made public, in order to help maintain the integrity of this process.").

curtailing of LGBTQIA+ civil rights and protections.

95. All Plaintiff CCR's Requests sought a fee waiver on the basis that CCR is a nonprofit organization with no private commercial interest in the records requested, that CCR intended to make all non-confidential information it received available to the public (including the media) at no charge, and that "disclosure of the requested materials is in the public interest because it is likely to contribute significantly to the public understanding of the activities or operations of the government and is not primarily in the commercial interest" of the Plaintiff. 5 U.S.C. § 552(a)(4)(A)(iii).

IV. Defendant Agency Responses

Defendant DOJ-EOUSA's Deficient Response

96. On June 11, 2025, Defendant DOJ-EOUSA acknowledged Plaintiff's April FOIA and assigned it number 2025-003973. In its response, DOJ-EOUSA asked for clarification regarding one part of the April FOIA request.

97. On June 17, 2025, Plaintiff sent a response to DOJ-EOUSA via Federal Express.

98. On June 18, 2025, Plaintiff's letter was delivered, and "A. Murray" signed for Defendant DOJ-EOUSA.

99. To date, Plaintiff has received no further response from DOJ-EOUSA.

Defendant DOJ-OIP's Deficient Response

100. On May 5, 2025, Defendant DOJ-OIP acknowledged Plaintiff's April FOIA and assigned it tracking number 2025-04259. DOJ-OIP's letter also denied CCR's request for expedited processing.

101. To date, Plaintiff has received no further response or determination from DOJ-OIP.

Defendant DOJ-OVW's Deficient Response

102. On May 7, 2025, DOJ-OVW acknowledged Plaintiff's April FOIA. It did not provide Plaintiff with a tracking number associated with CCR's FOIA request.

103. On May 7, 2025, DOJ-OVW separately emailed Plaintiff asking to discuss parts of the April FOIA.

104. On May 8, 2025, CCR discussed the April FOIA via phone with a representative of DOJ-OVW.

105. On May 9, 2025, CCR emailed DOJ-OVW to confirm Plaintiff's understanding of the May 8th telephone call, and communicated several priority areas related to the April FOIA.

106. On May 12, 2025, Plaintiff and DOJ-OVW exchanged further emails regarding language in certain parts of the April FOIA.

107. On May 14, 2025, DOJ-OVW emailed Plaintiff to confirm the agency's understanding of the agreed-upon scope of separate individual parts of Plaintiff's April FOIA.

108. On May 15, 2025, Plaintiff confirmed CCR's understanding regarding the scope of DOJ-OVW's searches.

109. To date, Plaintiff has received no determination or further response from Defendant DOJ-OVW.

Defendant DOJ-OLC's Deficient Response

110. On May 16, 2025 Defendant DOJ-OLC acknowledged Plaintiff's April FOIA and assigned it number FY25-308. DOJ-OLC's letter also denied CCR's request for expedited processing.

111. To date, Plaintiff has received no further response from DOJ-OLC.

Defendant DOJ-CD's Deficient Response

112. On May 12, 2025, Defendant DOJ-CD acknowledged Plaintiff's April FOIA and assigned it tracking number 145-FOI-21778. The letter denied Plaintiff's request for expedited processing. The letter also tasked Plaintiff's request to "Civil Division's Office of the Assistant Attorney General and Federal Programs Branch."

113. To date, Plaintiff has received no determination or further response from Defendant DOJ-CD.

Defendant DOJ-CRD's Deficient Response

114. On January 12, 2026, Plaintiff received an acknowledgment from Defendant DOJ-CRD with the tracking number 25-00504-F. The email asked whether Plaintiff CCR was still interested in pursuing its FOIA request.

115. On January 14, 2026, Plaintiff responded via email to DOJ-CRD, stating CCR was still interested in CCR's FOIA request and asking the agency to continue searches for responsive material.

116. To date, Plaintiff has heard nothing further from DOJ-CRD.

Defendant EOIR's Deficient Response

117. On May 13, 2025, Defendant EOIR responded to Plaintiff's April FOIA via email and assigned it the number 2025-60742. EOIR's email summarily closed CCR's FOIA request without providing any specific basis or timeframe to respond.

118. On May 19, 2025, Plaintiff appealed EOIR's administrative closure of CCR's April FOIA request.

119. On June 12, 2025, Defendant EOIR sent an acknowledgment email for CCR's April FOIA, assigning a new tracking number, 2025-65944. Attached to this email was a production of 117 pages of partially-redacted documents.

120. EOIR's June 12, 2025, email did not specify whether this set of records was a final determination or final production. The agency did state that certain records had been "referred to the Justice Management Division and the Office of Information Policy for a release determination and direct response to you."

121. On July 8, 2025, Plaintiff administratively appealed EOIR's June 12, 2025, production and response.

122. On July 14, 2025, Plaintiff received an email acknowledging its July 8, 2025, administrative appeal.

123. To date, Plaintiff has not received any further responses from EOIR.

Defendant DOJ-OSG's Deficient Response

124. On June 6, 2025, Defendant DOJ-OSG acknowledged Plaintiff's April FOIA and assigned tracking number 2025-128543.

125. DOJ-OSG's June 6th letter alleged that CCR's FOIA request would be "unduly burdensome" and asked whether CCR would like to narrow it.

126. On June 30, 2025, Plaintiff responded to the DOJ-OSG via email, stating that CCR's April FOIA was sufficiently tailored and that the agency should proceed to search and process CCR's FOIA as written.

127. To date, Plaintiff has received no determination or further response from Defendant DOJ-OSG.

Defendant BOP's Deficient Response

128. On March 4, 2025, Defendant BOP acknowledged Plaintiff's February FOIA and assigned it the number 2025-02327.

129. To date, Plaintiff has received no determination or further response from BOP regarding the February FOIA request.

130. On May 23, 2025, Defendant BOP acknowledged Plaintiff's April FOIA and assigned it the number 2025-04417. In its letter, the BOP denied Plaintiff's April FOIA request.

131. On June 25, 2025, Plaintiff administratively appealed BOP's denial of its April FOIA.

132. On July 3, 2025, the BOP granted Plaintiff's administrative appeal and re-opened its April FOIA.¹¹⁸

133. To date, Plaintiff has received no further response from Defendant BOP regarding its April FOIA request.

Defendant EEOC's Deficient Response

134. On May 2, 2025, Defendant EEOC received Plaintiff's April FOIA via Federal Express, signed for by "C. Cortez" per the proof of delivery.

135. To date, Plaintiff has received no response or acknowledgment from the EEOC.

Defendant VHA's Deficient Response

136. On May 5, 2025, Defendant VHA acknowledged receipt of Plaintiff's April FOIA and assigned it the tracking number 25-21979-F. The VHA letter denied Plaintiff's expedited processing and fee waiver requests.

137. On May 12, 2025, Plaintiff administratively appealed VHA's denial of CCR's fee

¹¹⁸ Plaintiff received a new acknowledgment letter from Defendant BOP on July 3, 2025, and received a separate letter granting CCR's appeal on July 8, 2025.

waiver request.

138. On May 13, 2025, VHA acknowledged Plaintiff's administrative appeal.

139. On May 29, 2025, VHA sent a "corrected" letter and acknowledged that the agency did not, in fact, deny CCR's fee waiver request.

140. On October 30, 2025, the VHA inquired whether Plaintiff was still interested in CCR's FOIA request.

141. On October 30, 2025, Plaintiff responded to VHA, affirming that CCR was still interested in its FOIA request being processed.

142. On October 30, 2025, Defendant VHA acknowledged Plaintiff's October 30th email.

143. On February 6, 2026, Plaintiff received a short email update from VHA saying in part that "VA Counsel reviewed my response and requested changes. I resubmitted it today. I will let you know when I get the approval."

144. On February 19, 2026, Plaintiff received a short email update from VHA saying that "They are still reviewing my response and recommending changes. Very little will be released. I will be out of the office on extended leave starting tomorrow. This case will be re-assigned and someone else will issue you a response."

145. To date, Plaintiff has received no further responses or determination from VHA.

Defendant VA-OS's Deficient Response

146. On July 8, 2025, Defendant VHA referred CCR's April FOIA to Defendant VA-OS and assigned it the tracking number 25-29423-F.

147. On July 18, 2025, Defendant VA-OS acknowledged CCR's April FOIA via email.

148. On July 18, 2025, in a separate email, the VA-OS suggested there may be up to

50,000 pages of responsive records.

149. On September 19, 2025, Defendant VA-OS provided a “First Interim Response” to Plaintiff and produced 150 pages of records.

150. On February 4, 2026, Defendant VA-OS provided a “Second Interim Response” to Plaintiff of 20 pages.

151. To date, Plaintiff has received no further records or responses from Defendant VA-OS.

Defendant OMB’s Deficient Response

152. On April 30, 2025, Defendant OMB acknowledged Plaintiff’s April FOIA via email and assigned it number 2025-1385.

153. To date, Plaintiff has not received any determination or further response from OMB regarding its April FOIA request.

Defendant DOI’s Deficient Response

154. On May 2, 2025, Plaintiff’s April FOIA was delivered via Federal Express to Defendant DOI and signed for by “H. Waddell,” per the proof of delivery Plaintiff received from Federal Express.

155. To date, Plaintiff has received no response from Defendant DOI to its April FOIA request.

Defendant SSA’s Deficient Response

156. On May 5, 2025, Defendant SSA acknowledged receipt of Plaintiff’s April FOIA via email and assigned it number 2025-FOIA-01833.

157. On September 29, 2025, SSA responded to Plaintiff’s requests for a fee waiver and expedited processing.

158. On October 31, 2025, Plaintiff appealed SSA's denial of Plaintiff's request for a fee waiver and expedited processing.

159. On February 24, 2026, Defendant SSA acknowledged Plaintiff's appeal via email, and on February 26, 2026, SSA sent a letter assigning the appeal number 2026-APP-00428.

160. To date, Plaintiff has received no further response or determination from Defendant SSA.

Defendant FCC's Deficient Response

161. On May 8, 2025, Defendant FCC acknowledged Plaintiff's April FOIA and assigned it tracking number FCC-FOIA-2025-000826.

162. On May 12, 2025, the FCC granted Plaintiff's request for expedited processing.

163. To date, Plaintiff has received no further response or determination from Defendant FCC.

Defendant DOD's Deficient Response

164. On May 13, 2025, Defendant DOD acknowledged Plaintiff's April FOIA and assigned it number 25-F-3203.

165. To date, Plaintiff has not received any determination or further response from DOD regarding its April FOIA request.

Defendant DHS's Deficient Response

166. On May 5, 2025, Defendant DHS responded to Plaintiff's April FOIA and assigned it tracking number 2025-HQFO-04031.

167. DHS's May 5, 2025 response contained several separate determinations and responses to CCR's April FOIA request, including allegations that parts of the FOIA request were too broad. It also referred parts of CCR's FOIA to the DHS component, Defendant USCG.

168. On May 12, 2025, Plaintiff appealed DHS's determinations, including its denial of CCR's fee waiver request. Plaintiff's administrative appeal was sent via Federal Express and received by "N. Reyes" on May 15, 2025.

169. To date, Plaintiff has received no further response from DHS to its April FOIA or administrative appeal.

Defendant USCG's Deficient Response

170. On May 16, 2025, Defendant USCG acknowledged Plaintiff's April FOIA via email and assigned it tracking number 2025-CGFO-01735.

171. On September 22, 2025, Defendant USCG issued a partial denial to its April FOIA, and also produced 18 pages of records to Plaintiff.

172. On October 31, 2025, Plaintiff appealed Defendant USCG's partial denial and the adequacy of the agency's search.

173. On November 3, 2025, Defendant USCG acknowledged Plaintiff's administrative appeal.

174. To date, Plaintiff has received no further responses from Defendant USCG.

Defendant USAID's Deficient Response

175. On May 9, 2025, Defendant USAID acknowledged Plaintiff's April FOIA via email and assigned it the tracking number F-00757-25. USAID also denied Plaintiff's expedited processing request and stated that CCR's fee waiver request was "moot" because there "are no fees associated with this request."

176. On September 18, 2025, USAID emailed Plaintiff asking whether CCR was still interested in its FOIA Request.

177. On September 22, 2025, Plaintiff responded to USAID, affirming Plaintiff was still interested in the processing of CCR's April FOIA.

178. On September 23, 2025, Plaintiff received an email from Defendant USAID stating, "We will continue processing your request."

179. To date, Plaintiff has received no other responses from USAID.

Defendant OPM's Deficient Response

180. On May 2, 2025, Defendant OPM received Plaintiff's April FOIA via Federal Express, and it was signed for by "A. Graham."

181. To date, Plaintiff has received no acknowledgment or response from OPM regarding CCR's FOIA request.

Defendant HUD's Deficient Response

182. On May 2, 2025, Defendant HUD acknowledged CCR's April FOIA and assigned it the tracking number 25-FI-HQ-02477.

183. On March 4, 2026, Defendant HUD inquired whether Plaintiff was still interested in CCR's FOIA request.

184. On March 4, 2026, Plaintiff responded to HUD, affirming that CCR was still interested in its FOIA request being processed.

185. To date, Plaintiff has received no further response or determination from HUD.

Defendant HHS's Deficient Response

186. On May 2, 2025, HHS received Plaintiff's April FOIA via Federal Express and "K. Kelly" signed for it.

187. On June 2, 2025, HHS received Plaintiff's HHS FOIA via Federal Express and "T. Lucas" signed for it.

188. To date, Plaintiff has received no response or determination from Defendant HHS to its April FOIA or HHS FOIA.

Defendant IRS's Deficient Response

189. On May 20, 2025, Defendant IRS emailed an “interim response” letter to Plaintiff and assigned the tracking number 2025-14290 to its April FOIA request.

190. The May 20 letter alleged that the April FOIA request did not “reasonably describe” what was sought and asked for a response within 35 days; otherwise, the IRS would close the FOIA request.

191. On June 2, 2025, Plaintiff sent a response clarifying its April FOIA to the address provided by the IRS. It was received and signed for by “D. Lassiter” on June 6, 2025, according to Federal Express.

192. On June 26, 2025, the IRS sent a “final determination letter” to Plaintiff stating that its April FOIA had been closed. The letter made no mention of Plaintiff’s June 2nd letter.

193. On June 27, 2025, Plaintiff responded to the IRS’s June 26 email and attached its June 2 letter as well as proof of delivery from Federal Express.

194. To date, Plaintiff has not received any further correspondence from Defendant IRS.

Defendant DOE's Deficient Response

195. On May 1, 2025, Defendant DOE acknowledged Plaintiff’s DOE FOIA and assigned it the number 25-03543-F.

196. On May 30, 2025, the DOE emailed Plaintiff to inform CCR that its DOE FOIA was still being processed.

197. To date, Plaintiff has received no determination or further response from

Defendant DOE to its DOE FOIA.

Defendant Treasury's Deficient Response

198. On May 9, 2025, Defendant Treasury acknowledged Plaintiff's April FOIA and assigned it tracking number 2025-FOIA-02077.

199. To date, Plaintiff has received no determination or further response from Treasury to its April FOIA.

Defendants DOS, DOS-BCA's Deficient Responses

200. On June 5, 2025, Defendant DOS acknowledged Plaintiff's April FOIA and assigned it number F-2025-17324.

201. On June 5, 2025, in a separate email, Defendant DOS informed Plaintiff that it had referred part of its April FOIA to its component, Defendant DOS-BCA, and assigned the tracking number F-2025-19658.

202. To date, Plaintiff has not received any determination or further response from DOS or DOS-BCA to its April FOIA.

V. The Strong Public Interest in the Requested Information

203. There is a strong public interest in the information sought by Plaintiff CCR's FOIA Requests. Almost a year since the anti-LGBTQIA+ Executive Orders were issued, their terrifying effects—and the unrelenting attacks on the trans community they pose—have not gone unnoticed. Genocide scholars have warned that the United States has entered into the early stages of a genocide against trans and intersex people, in part due to policies created by the Executive Orders.¹¹⁹ In 2025, activists tracking anti-LGBTQIA+ updates in the U.S. designated it a “do not travel” zone for non-essential travel for foreign trans citizens due to the risks of implementation

¹¹⁹ Walker Bragman, *supra* note 19.

of the Executive Orders and consequent state policies.¹²⁰

204. All the while, LGBTQIA+ people are fearful and suffering—not only from the impacts of the Orders themselves, but the sordid and unending task of discovering what fresh rule, regulation, or policy brought about by these Orders and this Administration has further curtailed their rights and liberties day after day. *See supra* Section II.B.

205. The fear and suffering that LGBTQIA+ people are experiencing as a result of the anti-LGBTQIA+ Executive Orders underscore the urgent public interest in understanding how the government has crafted, justified, and implemented them. The records Plaintiff has requested from Defendants via the FOIA mechanism are thus necessary to ensure transparency, preserve accountability and equip LGBTQIA+ communities to navigate and respond to an increasingly unpredictable federal government. This combination of revoked rights, practical barriers, and pervasive uncertainty has upended the ability of many LGBTQIA+ individuals to live their lives safely, access essential services and trust that the federal government will apply its laws equally and fairly—all of which underpin Plaintiff’s FOIA Requests.

206. Thus, the documents requested are of paramount importance to the public: they will make clear how this Administration is treating LGBTQIA+ people and why. The documents will allow legislators, journalists, academics, and activists alike to probe this Administration’s historic rollback of civil rights, and hold the government accountable to its people and laws. And critically, the documents will help LGBTQIA+ people realize their rights as citizens to plainly see their government’s treatment of them, and grant them the information necessary for them to

¹²⁰ Erin Reed, *Anti-Trans National Risk Assessment Map: March Edition*, Erin in the Morning (Mar. 25, 2025), <https://www.erininthemorning.com/p/anti-trans-national-risk-assessment>; *see also Snapshot: LGBTQ Equality by State: Gender Identity*, Movement Advancement Project, <https://www.lgbtmap.org/equality-maps/> (last visited Mar. 4, 2026). To date, three U.S. states are designated “do not travel” in addition to the U.S. as a whole. Erin Reed, *Anti-Trans National Legal Risk Assessment Map: Feb 2026*, Erin in the Morning (Feb. 20, 2026), <https://www.erininthemorning.com/p/anti-trans-national-legal-risk-assessment-a5d>.

navigate their lives safely.

207. For instance, CCR is litigating the constitutionality of SB185, a law passed by the Georgia legislature that bars public funding for necessary medical treatments for *only* trans people in prison. This anti-trans law, along with the slew of others moving through state legislatures, was encouraged by this Administration's clear anti-trans rhetoric.¹²¹

208. FOIA requires the federal government to disclose records in its possession unless they fall into one of a limited number of exemptions in the statute. Its "central purpose is to ensure that the Government's activities be opened to the sharp eye of public scrutiny."¹²² Access to this information is necessary so that the general public, and specifically the significant portion who are LGBTQIA+ themselves, can have sufficient information to meaningfully engage in timely and important decisions about, *inter alia*, their access to things like public education, accommodations, and federal identity documents, and ultimately, their safety, livelihoods, and wellbeing.

209. The Center for Constitutional Rights has a decades-long history of using the FOIA and state open records laws to provide its partners and clients, as well as legislators and journalists nationwide, with critical information like the documents requested here. Like all CCR public records litigation, key records received will be distributed publicly for no cost via Plaintiff's website and other online avenues.

¹²¹ See, e.g., Press Release, Ga. Att'y Gen. Chris Carr, Carr Vows to Take Fight Against Taxpayer-Funded Sex Changes "All the Way to the Supreme Court" (Aug. 8, 2025), <https://law.georgia.gov/press-releases/2025-08-08/carr-vows-to-take-fight-against-taxpayer-funded-sex-changes-all-way-supreme> ("In April, Carr filed a brief to defend President Trump's executive order that prohibits the use of federal funds to pay for an inmate's sex-change procedure, and he has altogether taken roughly 50 legal actions on this issue.").

¹²² *U.S. Dep't of Just. v. Repts. Comm. for Freedom of the Press*, 489 U.S. 749, 774 (1989) (emphasis omitted).

CLAIMS FOR RELIEF

FIRST CLAIM FOR RELIEF

Violation of FOIA, 5 U.S.C. §§ 552 *et seq.* for Failure to Search For, Disclose, and Release Records Responsive to Plaintiff's FOIA Requests

As to all Defendants

210. Plaintiff repeats and re-alleges each and every allegation contained in ¶¶ 34-209 as if repeated and incorporated herein.

211. By failing to conduct timely and adequate searches reasonably calculated to uncover responsive records, and failing to respond, disclose, and release all responsive records, Defendants have violated the public's right, advanced by Plaintiff CCR, to agency records under 5 U.S.C. § 552(a)(6)(A), 5 U.S.C. § 552(a)(3), and Defendant agencies' corresponding regulations.

SECOND CLAIM FOR RELIEF

Violation of FOIA, 5 U.S.C. §§ 552 *et seq.*, for Defendants' Improper Denial or Failure to Respond to Plaintiff's Requests for Expedited Processing

As to all Defendants

212. Plaintiff repeats and re-alleges each and every allegation contained in ¶¶ 34-209 as if repeated and incorporated herein.

213. By failing to respond to, and/or deny, Plaintiff's FOIA Requests, Defendants have violated Plaintiff's right to expedited processing under 5 U.S.C. § 552(a)(6)(E) and Defendant agencies' corresponding regulations.

THIRD CLAIM FOR RELIEF

Violation of FOIA, 5 U.S.C. §§ 552 *et seq.*, for Defendants' Improper Denial or Dismissal as Moot Plaintiff's Requests for a Fee Waiver

As to all Defendants

214. Plaintiff repeats and re-alleges each and every allegation contained in ¶¶ 34-209 as if repeated and incorporated herein.

215. By failing to respond to, failing to grant in full and/or denying Plaintiff's requests for a fee waiver, Defendants (excluding Defendant VA¹²³) have violated Plaintiff's right to a fee waiver under 5 U.S.C. § 552(a)(4)(A)(iii) and Defendants' own regulations.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests that this Court:

- A. Order Defendants immediately to make a full, adequate, and expedited search for the requested records in all Plaintiff's FOIA requests;
- B. Order Defendants to engage in expedited processing in this action;
- C. Enjoin Defendants from assessing fees or costs for the processing of the FOIA Requests;
- D. Order Defendants, upon completion of expedited processing, to disclose the requested records in their entirety and make copies available to Plaintiff no later than ten days after the Court's order;
- E. Award Plaintiff its costs and reasonable attorney's fees incurred in this action as provided by 5 U.S.C. § 552(a)(4)(E); and
- F. Grant any other and further relief as this Court may deem just and proper.

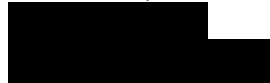
¹²³ On May 29, 2025, Defendant VA emailed Plaintiff and stated the agency was dismissing CCR's appeal of a fee waiver denial and "there will be no fees charged" in processing CCR's FOIA request.

Dated: March 5, 2026
New York, NY

Respectfully submitted,

/s/ Celine Zhu

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