

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

COUNCIL FOR GLOBAL EQUALITY,

Plaintiff,

v.

DEPARTMENT OF STATE,

Defendant.

Civil Action No. 25-2615 (TJK)

ANSWER¹

Defendant, the Department of State (“Defendant” or the “Department”), by and through undersigned counsel, respectfully submits this Answer to the Complaint (ECF No. 1, “Complaint”) filed by Plaintiff Council for Global Equality (“Plaintiff”) under the Freedom of Information Act (“FOIA”), 5 U.S.C. § 552.

All allegations not specifically admitted, denied, or otherwise responded to below are hereby denied. To the extent the Complaint refers to or quotes from external documents, statutes, or other sources, Defendant may refer to such materials for their accurate and complete contents in response; however, Defendant’s references are not intended to be, and should not be construed to be, an admission that the cited materials are: (a) correctly cited or quoted by Plaintiff; (b) relevant to this, or any other action; or (c) admissible in this, or any other, action. Defendant

¹ For ease of reference, Defendant’s Answer replicates the headings contained in the Complaint. Although Defendant believes that responses to headings in the Complaint are not required, to the extent a response is deemed required and to the extent the headings or subheadings contained in the Complaint or this Answer could be construed to contain factual allegations, any such allegations are denied.

expressly denies all allegations in the Complaint including the relief sought, that are not specifically admitted to or otherwise qualified in this Answer.

JURISDICTION AND VENUE

1. This paragraph consists of legal conclusions regarding jurisdiction, to which no response is required. To the extent a response is required, Defendant admits that this Court has jurisdiction subject to the terms, conditions, and limitations of FOIA and pursuant to 28 U.S.C. § 1331 and 5 U.S.C. § 552(a)(4)(B).

2. This paragraph consists of legal conclusions regarding venue, to which no response is required. To the extent that a response is required, Defendant admits that venue is proper in this District pursuant to 5 U.S.C. § 552(a)(4)(B) and 28 U.S.C. § 1391(e).

PARTIES

3. Defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations contained in this paragraph.

4. Defendant admits the Department is an agency the Executive Branch of the United States Government within the meaning of 5 U.S.C. § 552(f). Defendant further admits the Department is in Washington, D.C., and that, based on the language of Plaintiff's FOIA request, the Defendant may maintain possession, custody, and control over some records which may be relevant or responsive to Plaintiff's request, to the extent that such records may exist.

FACTS

5. The allegations in this paragraph consist of background assertions to which no response is required.

6. The allegations in this paragraph consist of background assertions to which no response is required.

7. The allegations in this paragraph consist of background assertions to which no response is required.

8. The allegations in this paragraph consist of background assertions to which no response is required. To the extent any response is required, Defendant denies the allegations.

9. Defendant admits only that that Country Reports on Human Rights (the “Reports”) have historically been released in or around March or April of each year. Defendant avers that the 2024 Report was published on August 12, 2025.²

Instructions Request (F-2025-20911)

10. The allegations in Paragraph 10 purport to characterize Plaintiff’s June 17, 2025, FOIA request, which speaks for itself and is the best evidence of its contents. Defendant respectfully refers the Court to the cited FOIA request for a complete and accurate statement of its contents and denies the allegations to the extent they are inconsistent with the FOIA request.

11. Defendant admits that Plaintiff’s June 17 FOIA request, which was assigned the following identifier: F-2025-20911, was acknowledged by the Department via email that same day.

12. Admit.

13. Defendant admits that on August 6, 2025, it provided Plaintiff an interim response to FOIA request F-2025-20911. Defendant respectfully refers the Court to the referenced correspondence for a complete and accurate statement of its contents and denies the allegations to the extent they are inconsistent with the correspondence.

² See <https://www.state.gov/reports/2024-country-reports-on-human-rights-practices/>.

14. Admit. Defendant respectfully refers the Court to the referenced correspondence for a complete and accurate statement of its contents and denies the allegations to the extent they are inconsistent with the correspondence .

15. Admit.

Communications Request (F-2025-20912)

16. The allegations in Paragraph 16 purport to characterize Plaintiff's June 17, 2025, FOIA request, which speaks for itself and is the best evidence of its contents. Defendant respectfully refers the Court to the cited FOIA request for a complete and accurate statement of its contents and denies the allegations to the extent they are inconsistent with the FOIA request.

17. Defendant admits that Plaintiff's June 17 FOIA request, which was assigned the following identifier: F-2025-20912, was acknowledged by the Department via email that same day.

18. Admit.

19. Admit.

20. Defendant admits that on August 5, 2025, it emailed Plaintiff regard FOIA request F-2025-20912. Defendant respectfully refers the Court to the referenced correspondence for a complete and accurate statement of its contents and denies the allegations to the extent they are inconsistent with the correspondence.

21. Admit. Defendant respectfully refers the Court to the referenced correspondence for a complete and accurate statement of its contents and denies the allegations to the extent they are inconsistent with the correspondence.

22. Admit.

Directives and Guidance Request (F-2025-20916)

23. The allegations in Paragraph 23 purport to characterize Plaintiff's June 17, 2025, FOIA request, which speaks for itself and is the best evidence of its contents. Defendant respectfully refers the Court to the cited FOIA request for a complete and accurate statement of its contents and denies the allegations to the extent they are inconsistent with the FOIA request.

24. Admit.

25. The allegations in Paragraph 25 purport to characterize Plaintiff's June 17, 2025, FOIA request, which speaks for itself and is the best evidence of its contents. Defendant respectfully refers the Court to the cited FOIA request for a complete and accurate statement of its contents and denies the allegations to the extent they are inconsistent with the FOIA request.

26. Defendant admits that Plaintiff's June 17 FOIA request, which was assigned the following identifier: F-2025-20916, was acknowledged by the Department via email that same day.

27. Admit.

28. Admit.

Exhaustion of Administrative Remedies

29. Defendant admits there have been no further communications with Plaintiff and no production of records related to the June 17, 2025, FOIA requests. Defendant is continuing to process Plaintiff's FOIA requests in the ordinary course. Except as expressly admitted, Defendant denies the remaining allegations.

CLAIM FOR RELIEF

Count 1 (Violation of FOIA, 5 U.S.C. § 552)

30. Defendant incorporates by reference the preceding paragraphs of this Answer as if fully set forth therein.

31. The allegations in Paragraph 31 consist of conclusions of law to which no response is required. Defendant avers that the cited legal authority speaks for itself, and no response is required. To the extent a response is deemed necessary, Defendant denies any characterization of the authority that is inconsistent with its plain language or controlling interpretation.

REQUEST FOR RELIEF

The remaining paragraphs set forth Plaintiff's prayer for relief to which no response is required. To the extent a response is deemed required, Defendant denies that Plaintiff is entitled to the relief requested or to any relief whatsoever.

DEFENSES

Defendant reserves the right to amend, alter, and supplement the defenses contained in this Answer as the facts and circumstances giving rise to this Complaint become known to Defendant through the course of this litigation. Defendant does not assume the burden of proving any of these defenses or elements of them where the burden is properly placed on Plaintiff as a matter of law.

FIRST DEFENSE

This Court lacks subject matter jurisdiction over any of Plaintiff's requests for relief that exceed the relief authorized by the FOIA. *See* 5 U.S.C. § 552.

SECOND DEFENSE

Defendants' actions or inactions did not violate the FOIA or any other statutory or regulatory provision.

THIRD DEFENSE

Defendant has exercised due diligence in processing Plaintiff's FOIA request and additional time is necessary for Defendant to continue its processing of Plaintiff's FOIA request.

FOURTH DEFENSE

Plaintiff is not entitled to compel the production of any record or portion of any record protected from disclosure by one or more of the exclusions or exemptions to the FOIA or the Privacy Act, 5 U.S.C. § 552a.

FIFTH DEFENSE

Plaintiff is not entitled to production of non-exempt portions of records that are not reasonably segregable from exempt portions of records.

SIXTH DEFENSE

Plaintiff is neither eligible for nor entitled to an award of attorneys' fees or costs in this action.

SEVENTH DEFENSE

Plaintiff is not entitled to injunctive or declaratory relief. 5 U.S.C. § 552(a)(4)(B).

Dated: December 3, 2025

Respectfully submitted,

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