

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

_____	)	
PUBLIC CITIZEN,	)	
1600 20th Street NW	)	
Washington, DC 20009,	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No. 26-529
	)	
OFFICE OF THE UNITED STATES TRADE	)	
REPRESENTATIVE,	)	
600 17th Street NW	)	
Washington, DC 20508,	)	
Defendant.	)	
_____	)	

**COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF**

1. Plaintiff Public Citizen brings this action under the Freedom of Information Act (FOIA), 5 U.S.C. § 552, to compel defendant Office of the United States Trade Representative (USTR) to produce records responsive to a FOIA request seeking communications between USTR and certain corporations and associations.

**JURISDICTION AND VENUE**

- 2. This Court has jurisdiction under 5 U.S.C. § 552(a)(4)(B) and 28 U.S.C. § 1331.
- 3. Venue is proper under 5 U.S.C. § 552(a)(4)(B) and 28 U.S.C. § 1391(e).

**PARTIES**

4. Plaintiff Public Citizen is a nonprofit organization headquartered in Washington, DC. Public Citizen submitted the FOIA request at issue in this action.

5. Defendant USTR is an agency of the United States. USTR has possession and control of the records Public Citizen seeks.

## STATEMENT OF FACTS

6. On July 15, 2025, Public Citizen submitted a FOIA request to USTR, seeking records of certain communications between USTR and non-governmental entities. Specifically, Public Citizen requested:

[C]opies of all communications containing the keywords “trade”, “trade deal”, “trade negotiations”, “digital trade”, “retaliatory measures”, “tariffs”, or “retaliatory tariffs”, between the U.S Trade Representative or the officials / staff / employees of the Office of the US Trade Representative, and the following companies:

- i. the Chamber of Commerce of the United States of America (“Chamber”),
- ii. the Telecommunications Industry Association (“TIA”),
- iii. Coalition of Service Industries (“CSI”),
- iv. Computer and Communications Industry Association (“CCIA”),
- v. Consumer Technology Association (“CTA”),
- vi. Information Technology and Innovation Foundation (“ITIF”),
- vii. Alphabet, Inc. (“Alphabet”)
- viii. Google LLC (“Google”),
- ix. Microsoft Corporation, Inc. (“Microsoft”),
- x. Amazon.com, Inc. (“Amazon”),
- xi. Amazon Web Services, Inc. (“AWS”),
- xii. Meta Platforms, Inc. (“Meta”),
- xiii. Starlink Services, LLC (“Starlink”),
- xiv. Tesla
- xv. Space Exploration Technologies Corp. (“SpaceX”)
- xvi. Palantir Technologies, Inc. (“Palantir”),
- xvii. OpenAI, Inc. (“OpenAI”),
- xviii. Anthropic PBC (“Anthropic”),
- xix. Apple, Inc. (“Apple”),
- xx. AT&T Inc. (“AT&T”),
- xxi. Intuit Inc. (“Intuit”),
- xxii. Perplexity AI Inc. (“Perplexity”),
- xxiii. Uber Technologies Inc. (“Uber”), or
- xxiv. Intel Corporation (“Intel”)

7. The request specified that it sought records from January 20, 2025, through the date of the request.

8. In the request, Public Citizen sought a waiver of fees and explained in support that disclosure of the requested information would be in the public interest and not for a commercial purpose.

9. On July 17, 2025, USTR acknowledged receipt of Public Citizen's FOIA request and assigned it tracking number FY25-119. USTR stated that it would provide Public Citizen with a determination on or before August 11, 2025.

10. On August 6, 2025, USTR told Public Citizen that it was processing the request, but that because the request required the FOIA office to consult with external stakeholders, USTR would need at least an additional ten working days to process the request due to "unusual circumstances."

11. On August 27, 2025, Public Citizen asked USTR for an update on the status of the FOIA request.

12. On August 28, 2025, USTR responded to Public Citizen, stating that the search for and review of records responsive to the request was underway, but that the agency required additional time to process the request due to unusual circumstances.

13. On September 8, 2025, Public Citizen asked USTR if USTR could provide an estimated date of completion for the request.

14. On September 16, 2025, USTR responded to Public Citizen. USTR did not provide an estimated date of completion. Instead, it stated that review of records responsive to the request was underway, but that the request required the FOIA office to consult with external stakeholders and thus required additional time due to unusual circumstances.

15. On December 18, 2025, Public Citizen asked USTR for an update on the progress made towards addressing the FOIA request and for an estimated date of completion.

16. On January 6, 2026, USTR responded. Once again USTR did not provide Public Citizen with an estimated date of completion. Instead, USTR stated that it was working diligently to complete the request but that the request required additional time to process due to unusual circumstances.

17. To date, Public Citizen has not received a determination on its request or release of any records in response to its request.

18. More than 20 business days have passed since Public Citizen submitted the request.

#### **CLAIM FOR RELIEF**

19. Public Citizen has a right under FOIA, 5 U.S.C. § 552, to the records responsive to its FOIA request and to a public-interest fee waiver.

20. USTR's failure to disclose the requested records has no legal basis.

#### **PRAYER FOR RELIEF**

WHEREFORE, Plaintiff requests that this Court:

A. Declare that USTR's failure to provide the records responsive to Public Citizen's FOIA request is unlawful;

B. Order USTR to make the requested records available to Public Citizen at no cost and without delay;

C. Award Public Citizen its costs and reasonable attorneys' fees under 5 U.S.C. § 552(a)(4)(E); and

D. Grant such other relief as this Court may deem just and proper.

Dated: February 18, 2026

Respectfully submitted,

/s/ Adina H. Rosenbaum

Adina H. Rosenbaum (DC Bar No. 490928)

Stephanie B. Garlock (DC Bar. No. 1779629)

Public Citizen Litigation Group  
1600 20th Street NW  
Washington, DC 20009  
(202) 588-1000  
arosenbaum@citizen.org

Counsel for Plaintiff