

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

JUDICIAL WATCH, INC.,)
425 Third Street SW, Suite 800)
Washington, DC 20024,)
)
Plaintiff,)
) Civil Action No.
v.)
)
OFFICE OF THE DIRECTOR OF)
NATIONAL INTELLIGENCE)
Washington, DC 20511,)
)
Defendant.)
)

COMPLAINT

Plaintiff Judicial Watch, Inc. brings this action against Defendant Office of the Director of National Intelligence to compel compliance with the Freedom of Information Act, 5 U.S.C. § 552. As grounds therefor, Plaintiff alleges as follows:

JURISDICTION AND VENUE

1. The Court has jurisdiction over this action pursuant to 5 U.S.C. § 552(a)(4)(B) and 28 U.S.C. § 1331.
2. Venue is proper in this district pursuant to 28 U.S.C. § 1391(e).

PARTIES

3. Plaintiff Judicial Watch, Inc. is a not-for-profit, educational organization incorporated under the laws of the District of Columbia and headquartered at 425 Third Street SW, Suite 800, Washington, DC 20024. Plaintiff seeks to promote transparency, accountability, and integrity in government and fidelity to the rule of law. As part of its mission, Plaintiff regularly requests records from federal agencies pursuant to FOIA. Plaintiff analyzes the

responses and disseminates its findings and the requested records to the American public to inform them about “what their government is up to.”

4. Defendant Office of the Director of National Intelligence is an agency of the United States Government and is headquartered in Washington, DC 20511. Defendant has possession, custody, and control of records to which Plaintiff seeks access.

STATEMENT OF FACTS

5. On March 7, 2025, Plaintiff submitted a FOIA request to Defendant seeking access to:

- A. All records reviewed, referenced, or relied upon during ODNI’s preparation of its report regarding the wealth and corrupt activities of the Chinese Communist Party (CCP). For purposes of clarification, the report was mandated by Sec. 6501 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (P.L. 117-263).
- B. All records of communication between any ODNI official or employee involved in the preparation of the report referenced in part one of this request and any official or employee of the Department of State regarding the report, its contents, or its submission to Congress.
- C. All records of communications between any ODNI official or employee involved in the preparation of the report referenced in part one of this request and any official or employee of the Executive Office of the President regarding the report, its contents, or its submission to Congress.

The timeframe of the request was “December 23, 2022 to the present.”

6. By letter dated April 1, 2025, Defendant acknowledged receiving Plaintiff’s request on March 7, 2025 and advised Plaintiff that the request had been assigned ODNI tracking number DF-2025-00282.

7. On September 23, 2025, Defendant informed Plaintiff that the request continued to be processed.

8. Plaintiff has received no further communication from Defendant regarding the request.

9. As of the date of this Complaint, Defendant has failed to: (i) determine whether to comply with the request; (ii) notify Plaintiff of any such determination or the reasons therefor; (iii) advise Plaintiff of the right to appeal any adverse determination; or (iv) produce the requested records or otherwise demonstrate that the requested records are exempt from production.

COUNT I
(Violation of FOIA, 5 U.S.C. § 552)

10. Plaintiff realleges paragraphs 1 through 9 as if fully stated herein.

11. Defendant is in violation of FOIA.

12. Plaintiff is being irreparably harmed by Defendant's violation of FOIA, and Plaintiff will continue to be irreparably harmed unless Defendant is compelled to comply with it.

13. To trigger FOIA's administrative exhaustion requirement, Defendant was required to make a final determination on Plaintiff's request by April 4, 2025, at the latest. Because Defendant failed to make a final determination within the time limits set by FOIA, Plaintiff is deemed to have exhausted its administrative appeal remedies.

WHEREFORE, Plaintiff respectfully requests that the Court: (1) order Defendant to conduct searches for any and all records responsive to Plaintiff's FOIA request and demonstrate that it employed search methods reasonably likely to lead to the discovery of records responsive to Plaintiff's FOIA request; (2) order Defendant to produce, by a date certain, any and all non-exempt records responsive to Plaintiff's FOIA request and *Vaughn* indices of any responsive records withheld under claim of exemption; (3) enjoin Defendant from continuing to withhold any and all non-exempt records responsive to Plaintiff's FOIA request; (4) grant Plaintiff an

award of attorneys' fees and other litigation costs reasonably incurred in this action pursuant to 5 U.S.C. § 552(a)(4)(E); and (5) grant Plaintiff such other relief as the Court deems just and proper.

Dated: January 22, 2026

Respectfully submitted,

/s/ Michael Bekesha
Michael Bekesha
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