

April 14, 2026

U.S. Department of State
Information Access Liaison Office, A/SKS/IAP/IAL
2201 C Street N.W., Suite B266
Washington, D.C. 20520-0000

Re: Freedom of Information Request

To Whom It May Concern:

This letter constitutes a request made pursuant to the Freedom of Information Act, 5 U.S.C. § 552, and implementing regulations of the United States Department of State, 22 C.F.R. § 171.1 *et seq* (“State Department”).

In September 2025, the Trump Administration released the America First Global Health Strategy, which outlines three broad pillars—making America safer, stronger, and more prosperous—and, alongside global health security, focuses on four main infectious disease areas: HIV, tuberculosis (“TB”), malaria, and polio.¹ Central to the strategy is a new model of foreign assistance: the plan anchors future U.S. engagement to time-bound, bilateral agreements with partner countries and sets a goal of decreasing U.S. funding and moving most countries toward full self-reliance over the course of the agreements. These compacts intend to transition the United States away from aid and toward jointly financed health agreements. This marks a sharp departure from how the United States has delivered global health assistance over the past two decades.

As of March 13, 2026, 29 countries have signed Memoranda of Understanding (“MOUs”), which include, at minimum, wide variations of co-financing provisions.² The text of these MOUs, which contains the most detailed information about program and financing requirements, is publicly available for only a limited number of countries. Given the significant public health and financial implications of these agreements—and the limited transparency around their terms, including what incentives may or may not be provided to address maternal health and mortality issues—the Center seeks access to records that would allow for informed public scrutiny of this new framework. Additionally, the MOUs indicate that there is a 90-day requirement for implementation planning of the MOUs once signed, but there has been no guidance from the State Department on this implementation^{3,4}

¹ [America First Global Health Strategy](#)

² See e.g., [Forging Health Partnerships Under the Trump Administration’s America First Global Health Strategy in Honduras and Senegal - United States Department of State](#); https://globalfundadvocatesnetwork.org/wp-content/uploads/2026/01/MOU-Analysis_January-2026_CHAI.pdf;

⁴ See *id.*

The Center for Reproductive Rights (“Center”) seeks to better understand the America First Global Health Strategy and the bilateral agreements with recipient countries. The Center seeks these records to understand the scope, terms, and implementation of these agreements, including any conditions imposed on recipient countries relating to reproductive health services, and to inform the public, policymakers, and affected communities about U.S. foreign assistance policy. Releasing this information is vital to the public interest to understand taxpayer-funded activities in foreign assistance.

Records Requested

Please provide all responsive records from January 20, 2025, through the date this search is conducted (unless otherwise specified). As used herein, “records” means all records as defined in 22 C.F.R. § 171.1(b). Additionally, as used herein, any reference to the State Department encompasses all field offices (both current and past), Foreign Service posts abroad, as well as the central offices located in Washington, D.C., 22 C.F.R. § 171.1(b)(2).

We request the following to be produced within twenty business days:

1. All communications, meeting notices, meeting agendas, meeting notes, informational materials, draft legislation, draft rules, talking points, reports, disclosures, or other documents sent to, received by, or exchanged between any State Department employee (temporary or permanent), and any official, appointee, contractor, or grantee that discusses, references, or concerns:
 - a. The America First Global Health Strategy, including its development, implementation, or dissemination;
 - b. Signed MOUs with foreign governments or recipient countries related to foreign assistance;
 - c. Signed bilateral “health compact” agreements with foreign governments or recipient countries related to foreign assistance;
 - d. Any other bilateral agreements with foreign governments or recipient countries related to foreign assistance;
 - e. Conditions, restrictions, or certifications required of recipient countries or organizations under the health compacts or MOUs, including any restrictions related to abortion, family planning, or reproductive health services;
 - f. References to the “Promoting Human Flourishing in Foreign Assistance” policy, including its application to bilateral agreements, health compacts, or MOUs;
 - g. Negotiations with foreign officials regarding these health compacts and/or agreements for the receipt of foreign assistance.

The Center seeks all responsive records regardless of format, medium, or physical characteristics. In conducting your search, please understand the terms “record,” “document,” and “information” in their broadest sense, to include any written, typed, recorded, graphic, printed, or audio material of any kind. We seek records of any kind, including electronic records, audiotapes, videotapes, and photographs, as well as letters, emails, facsimiles, telephone messages, voice mail messages and transcripts, notes, or minutes of any meetings, telephone

conversations, or discussions. Our request includes any attachments to these records. No category of material should be omitted from search, collection, and production.

In addition to the records requested above, the Center also requests records describing the processing of this request, including records sufficient to identify search terms used, locations and custodians searched, and any tracking sheets used to track the processing of this request. If your agency uses FOIA questionnaires or certifications completed by individual custodians or components to determine whether they possess responsive materials or to describe how they conducted searches, we also request any such records prepared in connection with the processing of this request.

Please search all records regarding agency business. You may not exclude searches of files or emails in the personal custody of your officials, such as personal email accounts or text messages. Records of official business conducted using unofficial systems or stored outside of official files are subject to the Federal Records Act and FOIA. It is not adequate to rely on policies and procedures that require officials to move such information to official systems within a certain period of time; the Center has a right to records contained in those files even if material has not yet been moved to official systems or if officials have, through negligence or willfulness, failed to meet their obligations.

Please note that in conducting a “reasonable search” as required by law, you must employ the most up-to-date technologies and tools available, in addition to searches by individual custodians likely to have responsive information. Recent technology may have rendered your agency’s prior FOIA practices unreasonable. In light of the government-wide requirements to manage information electronically by the end of 2016, it is no longer reasonable to rely exclusively on custodian-driven searches. Furthermore, agencies, including the State Department, which have adopted the National Archives and Records Agency Capstone program, or similar policies, now maintain emails in a form that is reasonably likely to be more complete than individual custodians’ files. For example, a custodian may have deleted a responsive email from his or her email program, but your agency’s archiving tools would capture that email under Capstone.

Accordingly, the Center requests that the State Department use the most up-to-date technologies to search for responsive information and take steps to ensure that the most complete repositories of information are searched. The Center is available to work with you to craft appropriate search terms. However, custodian searches are still required; agencies may not have direct access to files stored in .PST files, outside of network drives, in paper format, or in personal email accounts.

We request that you produce all responsive materials in their entirety; however, should you determine the materials contain information which falls within the statutory exemptions provided in 5 U.S.C. § 552 or 22 C.F.R. § 171.11, we request the information be reviewed for possible discretionary disclosure. We furthermore request that all reasonably segregable portions of the exempt material be provided. We request that any deleted material be described in detail, and that you specify the statutory basis for the denial as well as your reasons for believing that the alleged statutory justification applies in this instance. Please separately state your reasons for not

invoking your discretionary powers to release the requested documents in the public interest. Such statements will be helpful in deciding whether to appeal an adverse determination.

Under the FOIA Improvement Act of 2016, agencies must adopt a presumption of disclosure, withholding information “only if . . . disclosure would harm an interest protected by an exemption” or “disclosure is prohibited by law.” If it is your position that any portion of the requested records is exempt from disclosure, the Center requests that you provide an index of those documents as required under *Vaughn v. Rosen*, 484 F.2d 820 (D.C. Cir. 1973), *cert. denied*, 415 U.S. 977 (1974). As you are aware, a *Vaughn* index must describe each document claimed as exempt with sufficient specificity “to permit a reasoned judgment as to whether the material is actually exempt under FOIA.”⁵ Moreover, the *Vaughn* index “must describe each document or portion thereof withheld, and for each withholding it must discuss the consequences of disclosing the sought-after information.”⁶ Further, “the withholding agency must supply ‘a relatively detailed justification, specifically identifying the reasons why a particular exemption is relevant and correlating those claims with the particular part of a withheld document to which they apply.’”⁷

You should institute a preservation hold on information responsive to this request. The Center intends to pursue all legal avenues to enforce its right of access under FOIA, including litigation if necessary. Accordingly, your agency is on notice that litigation is reasonably foreseeable.

To ensure that this request is properly construed, that searches are conducted in an adequate but efficient manner, and that extraneous costs are not incurred, the Center welcomes an opportunity to discuss its request with you before you undertake your search or incur search or duplication costs. By working together at the outset, the Center and your agency can decrease the likelihood of costly and time-consuming litigation in the future.

Waiver or Limitation of Fees

Pursuant to 5 U.S.C. § 552(a)(4)(A)(iii), documents are required to be provided to requesters without any charge or at reduced fees “if disclosure of the information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest of the requester.” We request a waiver (or, in the alternative, a reduction) of all fees because disclosure of the information would be in the public interest by contributing significantly to the public understanding of the use and distribution of taxpayer funds in foreign assistance.

Founded in 1992, the Center is the only global legal advocacy organization dedicated to reproductive rights, and its litigation and advocacy has played a key role in expanding access to reproductive health care around the world. The Center uses information gathered, and its analysis of information gathered, to educate the public through reports, briefing papers, fact sheets, periodicals, articles, blog posts, and other educational materials. Likewise, the Center also makes the materials gathered available on its public website and promotes their availability on social

⁵ *Founding Church of Scientology of Washington, D.C. v. Bell*, 603 F. 2d 945, 949 (D.C. Cir. 1979).

⁶ *King v. U.S. Dep’t of Just.*, 830 F.2d 210, 223-24 (D.C. Cir. 1987).

⁷ *Id.* at 224.

media platforms, such as Facebook, X (formerly known as Twitter), and Instagram. The Center receives hundreds of thousands of website page views monthly, and publishes newsletters for public dissemination. Thus, the Center has demonstrated commitment to the public disclosure of documents and creation of editorial content.

The Center does not make this request for commercial use. 45 C.F.R. § 5.54(b)(3). As a 501(c)(3) nonprofit organization, the Center does not have a commercial purpose, and the release of the information requested is not in the organization's financial interest. Accordingly, the Center qualifies for a fee waiver.

In the event that you determine you are unable to waive the fees, please provide us with prior notice if the total fees authorized will exceed \$200 so that we can discuss arrangements.

Conclusion

The Center looks forward to working with your agency on this request. Thank you for your prompt attention to this matter.

With respect to the form of production, *see* 5 U.S.C. § 552(a)(3)(B), the Center requests that responsive materials be provided electronically by email or in PDF or TIF format on a USB drive. Please send any responsive material being provided and acknowledgement of receipt of this request to:

Mariakarla Nodarse Venancio
c/o Julia Long
Center for Reproductive Rights
1600 K Street, NW, 7th Floor
Washington, DC 20006
Phone: 917-637-3782
Email: MNodarse@reprorights.org

If it will accelerate release of responsive records, please also provide responsive material on a rolling basis.

If you do not understand any part of this request, have any questions, or foresee any problems in fully releasing the requested records, please contact Mariakarla Nodarse Venancio at 917-637-3782 if you have any questions. Thank you for your assistance.

Sincerely,

Mariakarla Nodarse Venancio