

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

AMERICAN FEDERATION OF LABOR
AND CONGRESS OF INDUSTRIAL
ORGANIZATIONS, et al.,

Plaintiffs,

v.

DEPARTMENT OF LABOR, et al.,

Defendants.

Civil Action No. 25-339 (JDB)

ORDER

Upon consideration of [49] defendants' motion to dismiss plaintiffs' first amended complaint, and the entire record herein, for the reasons set forth in the memorandum opinion issued on this day, it is hereby **ORDERED** that the motion is **GRANTED IN PART** and **DENIED IN PART**. It is further **ORDERED** that:

- Counts Two, Three, and Four are **DISMISSED** to the extent they allege violations of the Federal Information Security Modernization Act;
- Counts Two, Three, and Four are **DISMISSED** to the extent they allege violations of the Administrative Procedure Act's notice-and-comment requirement;
- Count Two is **DISMISSED** to the extent it alleges violations of either the Confidential Information Protection and Statistical Efficiency Act of 2002 or 5 U.S.C. § 2302(b)(9)(D);
- Count Four is **DISMISSED** to the extent it alleges a violation of the Health Insurance Portability and Accountability Act;
- Count Five is **DISMISSED** in full; and

- Defendants' motion to dismiss is **DENIED** with respect to remainder of the amended complaint.

SO ORDERED.

/s/
JOHN D. BATES
United States District Judge

Dated: April 16, 2025