



DEPARTMENT OF HEALTH & HUMAN SERVICES

Office of the Secretary
Assistant Secretary for Public Affairs
Washington, D.C. 20201

**Litigation No: cv-02588-PLF/Judicial Watch
HHS Case No: 2024-01585-FOIA-PHS**

February 5, 2026

Mr. William Marshall

Judicial Watch
425 Third Street SW
Washington, DC 20024
Phone (202)646-5172
Sent via email: bmarshall@judicialwatch.org

Dear Mr. Marshall:

This letter is the sixth interim response to your Freedom of Information Act (FOIA) request submitted to the U.S. Department of Health and Human Services, Office of the Secretary FOIA Office. Specifically, you requested the following records:

All records of communications sent to and from HHS assistant secretary Rachel Levine regarding the removal of minimum ages for the treatment of children in the World Professional Association for Transgender Health's (wpath) 2022 standards of care. This includes but is not limited to communications with wpath, Walter Bouman, the World Health Organization ("WHO"), Dr. Jason Rafferty, Chase Strangio, Sarah Boateng, Amy Tishelman, and Dr. Eli Coleman. A reasonable search should include, but not be limited to, the search terms "2022 standards of care," "SOC-8," "minimum age," "transgender care," and "wpath."

The time frame of this request is March 1, 2021 to October 31, 2022.

For this sixth release, the Department reviewed three (3) pages of records potentially responsive to your FOIA request that had been sent to other Executive Branch offices for consultation. Of these three (3) pages, the Department is releasing one (1) page in full and releasing two (2) pages in part, with information withheld pursuant to FOIA Exemption 6 (5 U.S.C. § 552(b)(6)).

FOIA exemption (b)(6) permits a federal agency to withhold information and records about individuals in "personnel and medical files and similar files, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy." The definition of "similar files" has historically been broadly interpreted to include a wide variety of files, and the United States Supreme Court has held that Congress intended the term "similar files" to be interpreted broadly, rather than narrowly. I have analyzed these records and find they meet the threshold requirement

of this exemption. Additionally, we have reviewed and weighed the public interest in disclosure of this information against the privacy interest in nondisclosure and found that the privacy interest outweighs the public's interest in disclosure. Under this exemption, the records being withheld consist of email addresses.

For all exemptions applied, we have found that it is reasonably foreseeable that disclosure would harm an interest protected by one or more of the exemptions to the FOIA's general rule of disclosure and/or that disclosure is prohibited by law.

Should you have questions or concerns regarding the Department's response and\or the processing of your request, any such issues should be communicated to your legal counsel and Department of Justice Attorney representing the Department in this matter.

Sincerely,

Brandon L. Lancey
Lead Government Information Specialist
FOI/Privacy Act Division

Enclosures: Three (3) Pages

From: Levine, Rachel (HHS/OASH)
Sent: Sat, 3 Sep 2022 02:17:02 +0000
To: Keene, Jamie D. EOP/WHO
Cc: Boateng, Sarah (HHS/OASH)
Subject: Re: WPATH

Jamie, good evening. Thank you so much for your email. I am pleased to talk tomorrow about these issues. I am adding Sarah and we can touch base.

Best, Rachel

Get [Outlook for iOS](#).

From: Keene, Jamie D. EOP/WHO **(b) (6)** @who.eop.gov>
Sent: Friday, September 2, 2022 8:45:15 PM
To: Levine, Rachel (HHS/OASH) <Rachel.Levine@hhs.gov>
Cc: Boateng, Sarah (HHS/OASH) <Sarah.Boateng@hhs.gov>
Subject: WPATH

Hi Adm. Levine,

I hope this finds you well. I'm wondering if you might be willing to connect quickly by phone tomorrow about the WPATH standards. I've received a few concerning calls from advocates today, and was hoping we could quickly compare notes.

Many thanks, and apologies for the weekend incursion,
Jamie

From: Keene, Jamie D. EOP/WHO
Sent: Sat, 3 Sep 2022 02:34:14 +0000
To: Levine, Rachel (HHS/OASH)
Cc: Boateng, Sarah (HHS/OASH)
Subject: Re: WPATH

Thank you Adm. Levine, much appreciated! Happy to talk at any time that's convenient for you.

On Sep 2, 2022, at 10:17 PM, Levine, Rachel (HHS/OASH) <Rachel.Levine@hhs.gov> wrote:

Jamie, good evening. Thank you so much for your email. I am pleased to talk tomorrow about these issues. I am adding Sarah and we can touch base.

Best, Rachel

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