



DEPARTMENT OF HEALTH & HUMAN SERVICES

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

Litigation No: 25-cv-01020/CREW HHS Case No: 25-10001-FOIA

September 30, 2025

Amanda Bangle
Citizens for Responsibility and Ethics in Washington
Sent via email: abangle@citizensforethics.org

Dear Ms. Bangle:

This letter responds to your organization's Freedom of Information Act (FOIA) request to the Department of Health and Human Services (HHS) for records of the Centers for Disease Control and Prevention (CDC). The request, assigned number 2025-10001-FOIA, is the subject of litigation case number 25-cv-01020. Specifically, your organization sought all records, from January 20, 2025, through the date of processing, that mention, reference, or relate to the CDC's decision not to release an assessment prepared by the Center for Forecasting and Outbreak Analytics concerning the risk of measles transmission in connection with local vaccination rates.

For this response, the HHS, Office of the Secretary (OS) FOIA Office reviewed 36 pages of CDC records. Following our review, we have determined to release 34 pages in full and 2 pages in part, with redactions made pursuant to Exemption 6 (5 U.S.C. § 552(b)(6)).

Exemption 6 of the FOIA permits federal agencies to withhold information contained in "personnel and medical files and similar files, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy" (5 U.S.C. § 552(b)(6)). The term "similar files" has been interpreted broadly by courts, and the U.S. Supreme Court has affirmed that Congress intended this broad application. Upon review, I have determined that the withheld information meets the threshold requirement for protection under this exemption. We also assessed the public interest in disclosure against the privacy interest in nondisclosure and concluded that the privacy interest prevails. Under Exemption 6, the withheld information consists of cell phone numbers.

In applying Exemption 6, we determined that releasing the withheld information would foreseeably harm an individual's personal privacy. We further concluded that no additional reasonably segregable, non-exempt portions of the records exist beyond the material already being released.

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: 36 pages