**Freedom of Information (FOIA) Request Form**

**Privacy/FOIA Officer; Mail Code 534/003/PO**

**Ralph H. Johnson VAHCS**

**109 Bee Street**

**Charleston, SC 29401**

**Full Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date of request: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**House number & Street Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**City, State, Zip \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Your Phone Number (\_\_\_\_\_\_\_) \_\_\_\_\_\_\_-\_\_\_\_\_\_\_\_\_\_\_ E-mail: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Mail To: Fax To**: **E-mail:**

**Privacy/FOIA Officer; Mail Code 534/003/PO #843-518-4031 VAMCCharlestonSCFOIA@va.gov**

**Ralph H. Johnson VAHCS**

**109 Bee Street**

**Charleston, SC 29401**

Dear Privacy/FOIA Officer:

This is a request under the Freedom of Information Act.

**I request that you supply me a copy of** (specify the Documents or Information you seek in space provided below; including dates): **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

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(Note, it is important to provide a detailed description of the records you seek to assist the FOIA Officer in providing you with a timely and satisfactory response)

**Detailed description of the purpose(s) you need this information:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**I am willing to pay up to** $\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**\_\_\_\_\_\_\_\_\_\_**for the processing of my request.

 (Enter Amount you agree to pay for your request)

\*Please notify me if you estimate the fees to exceed this amount.

If you believe you are entitled to a fee waiver, or expedited processing, **i**ndicate below your reason why you feel you qualify for a fee waiver or expedited processing

(See: pages 2-3 of this packet regarding qualifications for expedited processing and fee waivers):

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

Sincerely,

**Signature:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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**Expedited Processing**

• A FOIA requester may ask in writing for “expedited processing” of a FOIA request for a demonstrated “compelling need.”

• There are two compelling needs:

– Failure to obtain records quickly “could reasonably be expected to pose an imminent threat to the life or physical safety of an individual,” or

– The requester demonstrates “an urgency to inform the public concerning actual or alleged Federal Government activity.”

• In the latter case, distinguish between public interest in a subject and how releasing the records that the agency has that are responsive to the FOIA request would serve that public interest. It is the latter that governs whether the agency should grant an expedited FOIA request.

**Fee Types**

• The FOIA provides for three categories of fees that may be charged in response to FOIA requests:

– **Document Search Costs**, including all the time spent looking for responsive material.

– **Review Costs**, which consists of the direct costs incurred during the initial examination of a document for the purposes of determining whether it must be disclosed under the FOIA.

– **Duplication or Copying Costs**, which represent the reasonable “direct costs” of making copies of documents.

**Fee Procedures**

• The VA’s implementing FOIA regulations concerning FOIA fees are found at 38 C.F.R. § 1.561 and assess:

– A 16 percent overhead charge for all employee staff time spent on search and review.

– A charge of 15 cents per one-sided page for duplication costs.

• Fee issues should be resolved prior to the processing of a FOIA request.

• The VA’s regulation requires that a requestor, be notified whenever the estimated FOIA fee is expected to be greater than $25 unless the requestor has specified in advance a willingness to pay an amount as high as has been estimated.

• You may require prepayment prior to the agency’s actual search for the responsive records when estimated fees are greater than $250 dollars, or the requester has previously failed to pay a FOIA fee in a timely manner.

• The fee notice must also offer the requestor the opportunity to confer with agency personnel with the object of reformulating the request to meet the requestor’s needs at a lower cost.

• VA will not charge the requester if the fee is $25.00 or less.

• Fees will be charged based on the published fee schedule (DC locality payment plus 16%)

– Clerical = All employees at GS-7 and below = GS-6, Step 5 pay

– Professional = All employees at GS-8 through GS-12 = GS-11, Step 7 pay

– Managerial = All employees at GS-13 and above = GS-14, Step 7 pay

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**Fee Waivers**

• FOIA fees can be waived or reduced in response to a request for a fee waiver or reduction when it is determined that furnishing the requested record(s) is:

– In the public interest because disclosure is likely to contribute significantly to public understanding of the operations and activities of the government; and,

– Is not primarily in the commercial interest of the requestor.

• Because the requestor must be able to disseminate the information requested to members of the general public, those eligible for fee waivers and reductions are primarily limited to representatives of the news media.

– Some requestors may be considered even though they are not news organizations based upon their ability to disseminate information to news sources (i.e. government watch groups).

**For other information about FOIA see:** [**http://www.foia.va.gov/FOIA\_FAQ.asp**](http://www.foia.va.gov/FOIA_FAQ.asp)