**FREEDOM OF INFORMATION ACT REQUEST**

Department of Veterans Affairs

Records Management Center

ATTN: Freedom of Information

P.O. Box 5020

St. Louis, MO 63115-5020

Date:

**RE: FREEDOM OF INFORMATION ACT REQUEST**

**Veteran: NAME OF VETERAN**

**VA File No: SERVICE NUMBER OR SOCIAL SECURITY NUMBER**

To Whom it May Concern:

I am writing this letter on behalf of my client, Veteran NAME OF VETERAN. This is a request for documents under 38 C.F.R. §1.577, the Freedom of Information Act (FOIA), 5 U.S.C. § 552, and the Privacy Act, 5 U.S.C. § 552a, on behalf of Veteran NAME OF VETERAN. This request is properly made as it contains the signature of the requester.

1. **IDENTIFICATION OF DOCUMENTS.** I hereby request all documents contained in any VA claims folder for any of Veteran NAME OF VETERAN’s VA claims, to include all documents in the right flap, left flap and center flap, **AND**, to include anything in the VA Virtual File, Virtual Records, or any electronic system where records about me or my claim are kept or stored.
2. **FORM/FORMAT IN WHICH TO PRODUCE INFORMATION.** The FOIA and the VA’s own internal policies related to FOIA requests, require that the records be produced in the format sought by the requester, if the record is readily reproducible in that form or format. Please take special care to ensure that both sides of any two-sided documents produced in response to this request are included in the response and are scanned into a PDF in such a way that they do not “bleed-through” from one side of the document to the other.
3. **TIME FOR RESPONSE.** Please note that this request for documents is being made pursuant to the Privacy Act, 5 U.S.C. § 552, and the Freedom of Information Act (FOIA), 5 U.S.C. § 552a, as well as 38 C.F.R. §1.550 and 38 C.F.R. § 1.577. Your agency has a duty to respond to this request within **TWENTY (20) BUSINESS DAYS** of the date of this request pursuant to 5 U.S.C. § 552 (a)(6)(A)(2)(i).

Additionally, although an extension of time to respond may be requested, it may only be granted for “unusual circumstances.” “Predictable agency workload” is not typically considered an unusual circumstance as stated in 5 U.S.C. § 552(a)(6)(C)(ii). Moreover, even to the extent that unusual circumstances could be demonstrated in this instance, the time limit for the extension is limited to “10 working days” pursuant to 38 C.F.R. § 1.553(d). Please also be aware that your agency's failure to respond to this request within twenty business (20) days can result in the filing of an administrative appeal with the office of the Secretary of the Department of Veterans Affairs pursuant to 38 C.F.R. § 1.557 and 5 U.S.C. § 552(a)(6)(A)(2) (ii), and/or, the filing of a federal lawsuit to compel the production of the information.

In any such appeal or lawsuit, I intend to seek not only injunctive and/or monetary relief related to this request, but to the extent permitted by law, injunctive and/or monetary relief based on the Department of Veteran’s Affairs patterns and/or practices of responding to FOIA requests in a manner violative of the FOIA, as well as attorney fees and litigation expenses, and any other remedy/relief available at law.

4. **Point of Contact.** As discussed above, please respond to this request within twenty (20) business days. I may be contacted at XXX-XXX-XXXX..

Thank you very much in advance for your assistance.

Respectfully,

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NAME OF ATTORNEY

ADDRESS

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NAME OF VETERAN, Veteran

ADDRESS