



DEPARTMENT OF VETERANS AFFAIRS  
VA CARIBBEAN HEALTHCARE SYSTEM  
10 Casia St.  
San Juan, Puerto Rico 00921-3201

May 23, 2016

FOIA Request No.: 16-07519-F

(b) (6)(b) (6)(b) (6)  
(b) (6) [redacted]  
(b) (6)(b) (6)(b) (6)

Dear Mr. (b) (6)(b) (6)

This letter is in response to your May 13, 2016 request under the Freedom of Information Act (FOIA), 5 U.S.C. § 552, to the Va Caribbean Healthcare System for "all the emails exchanged between Dr. Antonio Sanchez (antonio.sanchez@va.gov) and myself (b) (6)(b) (6)(b) (6) @va.gov) from 09/27/2009 to 05/13/2016. If possible, I want these emails saved in a CD instead of paper.". My office received your request on May 13, 2016

The FOIA, 5 U.S.C. § 552(A)(4)(a)(II), places all FOIA requesters in one of three categories for fee purposes. The three categories of FOIA requesters are commercial use requesters; educational institutions, noncommercial scientific institutions, and representative of the news media; and all other requesters. I have determined your request to be an all other request.

My determination to classify this request as an **all other** request is based on your employee status at VA Caribbean Healthcare System. That is, you did not indicate that you were a media outlet/educational institution or a commercial entity in your request letter.

As an "all other" request, VA FOIA implementing regulations found at 38 C.F.R. §1.561 state that the requester will be charged search fees for all time spent searching for responsive records, except the first two hours of search time are fee and for the cost of reproduction of the records only, excluding the charges for the first 100 pages. 38 C.F.R. § 1.561(d)(2) states when a duplication fee applies, the FOIA Officer will charge a fee of 15 cents per one-sided page for a paper photocopy of a record and for other forms of duplication, including electronic copies, the FOIA Officer will charge the direct costs of that duplication. 38 C.F.R. § 1.561(e)(5) states whenever a total fee calculated under (d) of this section is less than \$25, no fee will be charged. Moreover, the "all other" requester will be charged the cost of searching for and the cost of reproduction of the records even if there is ultimately no disclosure of records.

The estimated fees associated with processing your request are **\$30,933.90**. Please remember that All Other requestors are charged for Search Time in excess of 2 hours from all sources. Even though you have not provided your search time for the fee estimate or the estimate for the number of pages in excess of 100 pages, the cost was above \$250 so this letter is being sent to you. Enclosed is a copy of the fee invoice for providing the requested information for "all the emails exchanged between Dr. Antonio Sanchez (antonio.sanchez@va.gov) and myself (b) (6)(b) (6)(b) (6) @va.gov) from 09/27/2009 to 05/13/2016. If possible, I want these emails saved in a CD instead of paper."

In accordance with 38 C.F.R. §1.561(l)(2), when a FOIA Officer estimates that a total fee to be charged is more than \$250, the FOIA Officer may require the requester to make an advanced payment of an amount up to the amount of the entire anticipated fee before beginning to process the request. Consequently, you must pay the estimated fees stated above before we perform any more work to process your request. Please be advised that the actual FOIA fees could exceed or fall below the estimated amount upon final tabulation. If the actual fees are not \$30,933.90, an appropriate adjustment will be made for any difference upon completion of processing your request.

*Please understand that if VHA finds records responsive to your request and if a FOIA exemption authorizes withholding those records in whole or in part, VA may not release the records to you even though you have pre-paid the search fees to locate those records.*

If you wish to reformulate your request to lower the estimated fees, you may contact me by telephone at 727-575-8077 to discuss this option.

Otherwise, please send a check or money order in the amount of \$30,933.90 made payable to "Department of Veterans Affairs", to the address listed below and I will finish processing your request and will disclose all releasable responsive records in our custody. The mailing address to submit your payment is:

VA Caribbean Healthcare System  
c/o Agent Cashier (04)  
FOIA Request # **16-07519-F**  
10 Casia Street  
San Juan, PR 00921-3201

**In accordance with 38 C.F.R. §1.561(h)(2), if I have not received a response within 10 business days of the date of this letter, June 6, 2016 then I will have to conclude that you do not wish for me to proceed with processing your request and will administratively close the file on this request.**

Please be advised, you may appeal the fee determination to:

Office of General Counsel (024)  
Department of Veterans Affairs  
810 Vermont Avenue NW  
Washington, DC 20420

If you should choose to file an appeal, your appeal must be postmarked no later than sixty (60) calendar days from the date of this letter, include a copy of this letter, identify each determination that you are appealing and clearly state why you disagree with the determination. If you should have any further questions, please feel free to contact me at 727-575-8077

Sincerely,

A handwritten signature in cursive script that reads "Wayne Welge".

Wayne Welge  
VISN 8 FOIA Officer

Attachment: Fee Estimate Invoice

Grade/Step	Annual Salary	Benefits	Salary + Benefits	S+B Hourly Rate	Search Hours	Line Total
GS 13/5	\$ 95,704	16%	\$ 111,017	\$ 53.19	3.5	\$ 79.79
VACHS COS	\$ 291,198	16%	\$ 337,790	\$ 162.40	192.0	\$ 30,855.79
				\$ 215.59	195.5	\$ 30,935.58
				\$ 162.81	192.00	<u>\$ 30,933.90</u>

Notes

Admin position - 2087 hrs per work year

Clinical position - 2080 hours per work year

Close Enough

May 13, 2016

(b) (6)

VA Caribbean Healthcare System  
Casia St. 10  
San Juan, PR 00920

Attn: Rosayma D. López Ramírez  
FOIA Officer

Dear Ms. López:

This is a request under the Freedom of Information Act.

I request that you submit a copy of:

All the emails exchanged between Dr. Antonio Sánchez ([antonio.sanchez@va.gov](mailto:antonio.sanchez@va.gov)) and myself  
(b) (6)(b) (6) [@va.gov](mailto: @va.gov) from 09/27/2009 to 05/13/2016. If possible, I want these emails  
saved in a CD instead of paper.

I am willing to pay up to \$25.00 for the processing of my request. Please notify me if you estimate the  
fees to exceed this amount.

If you have any questions, I may be reached at telephone 787-509-0817 or by email at  
[reynos14@hotmail.com](mailto:reynos14@hotmail.com)

Sincerely,

(b) (6)

*Reuberto*  
*05/13/16*  
*4:49 pm*

**From:** (b) (6)(b) (6)  
**To:** [Welge, Wayne D.](#); (b) (6)(b) (6)  
**Subject:** RE: FOIA Request 16-07519-F  
**Date:** Thursday, May 19, 2016 10:44:39 AM

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\$286,118 without COLA/\$291,198 with COLA – COLA (Cost of Living Allowance)

Shari

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**From:** Welge, Wayne D.  
**Sent:** Thursday, May 19, 2016 9:25 AM  
**To:** (b) (6)(b) (6)(b) (6)(b) (6)  
**Subject:** FW: FOIA Request 16-07519-F

(b) (6)

I need the (if possible) the salary rate for Dr. Antonio Sanchez, COS, San Juan. A FOIA requestor has asked for 6 years of emails from Dr. Sanchez and I plan on sending a Fee Letter. Please help. Thank you.

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**From:** Sánchez, Antonio  
**Sent:** Thursday, May 19, 2016 9:13 AM  
**To:** Welge, Wayne D.  
**Cc:** Welge, Wayne D.  
**Subject:** Re: FOIA Request 16-07519-F

If I have to enter into my thousands of e mails I would say 30 - 45 days as I am out of VA this week and next week will be only on Monday. (b) (6) has sent me emails in reference to official travel arrangements only as he doesn't work for me directly so I anticipate will not be a lot but some emails will be saved in my outlook so doing a search on it will be easy to find but I need to go year by year and it take time. I don't have capabilities to save those in any form such as disks, etc. So if you want me to print them I can do so and then you save them and process them.

Let me know what else you need from my end.

Thanks...

Sent from my BlackBerry 10 smartphone.

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**From:** Welge, Wayne D.  
**Sent:** Thursday, May 19, 2016 8:41 AM  
**To:** Sánchez, Antonio  
**Cc:** Welge, Wayne D.  
**Subject:** FW: FOIA Request 16-07519-F

Dr. Sánchez,

Please note the FOIA request below. At this time, I am only asking for an estimate of your time to locate the records in your email. Based on your services response, I anticipate a Fee Letter going to the requestor prior to requesting the records. I also

plan to contact the National Service Desk for an estimate of their time to locate these records. Thank you.

**Please note the FOIA request below. Thank you.**

Please complete the GS/Step, Estimated Search Time and Estimated Pages of the Records Requested below. When finished, please return the information to the FOIA Office staff on this message.

**GS/Step:** \_\_\_\_\_

**Estimated Search Time:** \_\_\_\_\_

**Estimated Pages of the Records Requested:** \_\_\_\_\_

The details pertaining to this request are outlined below:

**Request Type:** All Other

**FOIA Number:** 16-07519-F

**Who:** (b) (6)(b) (6)(b) (6)

**Affiliation:** N/A

**Documents Requested:** all the emails exchanged between Dr. Antonio Sanchez ([antonio.sanchez@va.gov](mailto:antonio.sanchez@va.gov)) and myself (b) (6)(b) (6)(b) (6) @va.gov from 09/27/2009 to 05/13/2016. If possible, I want these emails saved in a CD instead of paper.

**Search Criteria:** Date Range: 09/27/2009 to 05/13/2016; any email (Outlook) exchange between Dr. Sanchez and (b) (6)(b) (6) as To: or From: including any other employees in the To:/From: lines.

**Assigned VHA FOIA Officer:** Wayne Welge

Record Search Due Date: June 1, 2016

**WAYNE WELGE**

*VISN 8 Compliance and Business Integrity Officer*

*VISN 8 Privacy/FOIA Officer ([VISN8FOIA@va.gov](mailto:VISN8FOIA@va.gov))*

*Work: (727) 575-8077*

*Cell: (727) 415-3729*

*Fax: (727) 575-8096*





## Invoice Summary

810 Vermont Ave., NW  
Washington, DC 20420

**Report Date :** 05/23/2016

**Time :** 3:32:36 PM

### Requester Details

(b) (6)(b) (6)(b) (6)(b) (6)  
(b) (6)(b) (6)  
(b) (6)(b) (6)(b) (6)(b) (6)

### Requester Invoice

Request No : 16-07519-F  
Invoice No : 00000003919  
Invoice Date : 05/23/2016  
Requester Name : (b) (6)(b) (6)  
Requester : (b) (6)  
Organization : -

### Fee Items

### Charged Value (\$)

#### SEARCH

d. Other	30933.90
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**Total Amount (\$) : 30933.90**

**Amount Paid (\$) : 0.00**

**Balance Due (\$) : 30933.90**

### Request Description

all the emails exchanged between Dr. Antonio Sanchez (antonio.sanchez@va.gov) and myself ( (b) (6)(b) (6)(b) (6) @va.gov) from 09/27/2009 to 05/13/2016. If possible, I want these emails saved in a CD instead of paper.

#### Sub Requests

Default

### Memo

TBD