



**DEPARTMENT OF VETERANS AFFAIRS  
Durham VA Health Care System  
508 Fulton Street  
Durham, North Carolina 27705**

In Reply Refer To: 558 / 00P  
FOIA Request: 22-08659-F

September 12, 2022

Roger Rabbit  
481 Majority Rd  
Orangeburg, SC 29118

Dear Mr. Rabbit:

This letter is in response to your August 24, 2022 request under the Freedom of Information Act (FOIA), 5 U.S.C. § 552, to the Veterans Health Administration (VHA), Durham VA Health Care System FOIA Office, requesting a copy of the following:

“This is a request under the Freedom of Information Act (5 U.S.C. 552). I request that a copy of the following documents be provided.

1. Any and all records and communications the Durham VAMC possesses regarding any meetings, interactions, emails, or other correspondence between the selecting official and approving official for Job Vacancy Announcement CBTA-11274461-22-TW posted 10/27/2021 to 11/12/2021.
2. Resume of all applicants who applied for Job Vacancy Announcement CBTA-11274461-22-TW posted 08/02/2022 to 08/16/2022.
3. Resume of all applicants who were interviewed for Job Vacancy Announcement CBTA-11274461-22-TW posted 10/27/2021 to 11/12/2021
4. Resume Screening Grid for Job Vacancy Announcement CBTA-11274461-22-TW posted 10/27/2021 to 11/12/2021.
5. I request a waiver of all fees for this request.”

Your FOIA request was received in my office on August 25, 2022. Your request was placed in the simple processing category.

### Fees

Based on the information provided in your request, I have classified you as an “all other” FOIA requester. As an all other requester, VA FOIA implementing regulations found at 38 C.F.R. § 1.555 state that the first 100 pages of duplication and first two hours of search time will be furnished without charge. Your request took less than two hours of search time and there is no charge for duplication since the cost is less than \$25.00. Therefore, no fees are assessed. However, please be advised that we reserve

the right to assess fees as appropriate under the FOIA on any and all future FOIA requests.

### Search for Records

A comprehensive search for agency records has been completed. We have concluded that the Durham VA Health Care System does not have responsive records to your request. Courts have determined the reasonableness of an agency's search can depend on whether the agency properly determined where responsive records were likely to be found and searched those locations. [See *Iacoe v. IRS*, No. 98-C-0466, 1999 WL 675322, at \*4 (E.D. Wis. July 23, 1999) (recognizing that agency "diligently searched for the records requested in those places where [agency] expected they could be located")]

The records search inquiries were made to the appropriate office on August 25, 2022. The records search was assigned to the VISN-6 HR Strategic Business Partner Service. Staff within the VISN-6 HR Strategic Business Partner Service who are familiar with the record keeping system conducted the search for the documents responsive to your request. The search was conducted by utilizing the search criteria of your request against the VISN-6 HR Strategic Business Partner Service electronic systems/databases. At the conclusion of the search, a "no records" response was provided for the responsive documents to your request. The search was not directed to any other service or department at the Durham VA Health Care System as the VISN-6 HR Strategic Business Partner Service is responsible for maintaining documents pertaining to the requested records. The search concluded on September 13, 2022.

### Initial Agency Decision

Consequently, I am providing a "no records" response to the request for the documents as indicated above. The indicated Job Vacancy Announcement CBTA-11274461-22-TW was closed, and no selection was made. They suggested that the apparent announcement is likely to be reposted in the future as determined by selecting officials.

### Appeal Rights

Please be advised that you may appeal the "no records" response to:

Office of the General Counsel (024)  
Department of Veterans Affairs  
810 Vermont Avenue, N.W.  
Washington, D.C. 20420  
Email: [ogcfoiaappeals@va.gov](mailto:ogcfoiaappeals@va.gov).

If you should choose to file an appeal, your appeal must be postmarked or electronically transmitted no later than ninety (90) calendar days from the date of this letter. Please include a copy of this letter with your written appeal and clearly state why you disagree with the determinations set forth in this response.

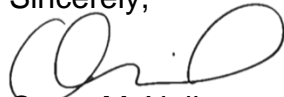
You may also seek assistance and/or dispute resolution services for any other aspect of your FOIA request from VHA's FOIA Public Liaison and/or Office of Government Information Services (OGIS) as provided below:

VHA FOIA Public Liaison:  
Email Address: [vhafoia2@va.gov](mailto:vhafoia2@va.gov)  
Phone Number: (877) 461-5038

Office of Government Information Services (OGIS)  
Email: [ogis@nara.gov](mailto:ogis@nara.gov)  
Fax: (202) 741-5769  
Mailing address: Office of Government Information Services  
National Archives and Records Administration  
8601 Adelphi Road  
College Park, MD 20740-6001

If you need any further assistance or would like to discuss any aspect of your request please do not hesitate to contact me at (919) 416-5981 or [VHADURFOIA@va.gov](mailto:VHADURFOIA@va.gov).

Sincerely,



Owen McNeil  
Privacy/FOIA Officer