DEPARTMENT OF VETERANS AFFAIRS
Financial Services Center
8000 Metropolis Drive, Building B
Austin, Texas 78774

May 26, 2026 RE: 26-15155-F

Melanie Sloan
American Oversight
1030 15th Street, NW
Washington, DC 20005
foia@americanoversight.org

Dear Ms. Sloan:

This letter acknowledges receipt and is the initial agency decision to your March 19, 2026, request under the Freedom of Information Act (FOIA), 5 U.S.C. § 552, submitted to the Department of Veterans Affairs (VA) FOIA Office for the following records:

> *"1. Records sufficient to identify all updates and/or changes to VA's partnership with ICE for claims processing support.*
> *2. All formal and informal directives, guidance, protocols, and/or policies created or issued by VA regarding claims processing support for detainees in ICE, HSI, and/or CBP custody.*
> *4. All notifications, cancellations, terminations, and/or other notices created by VA and issued to ICE regarding the termination of its claims processing support in October 2025.*
> *5. Records sufficient to identify all updates and/or changes related to VA "temporarily" resuming claims processing for ICE "to prevent further harm." (Date Range for Record Search: From 1/1/2025 To 3/19/2026)"*

Request Procedural History

As indicated in their correspondence, the VA FOIA Service referred your request to the Financial Services Center (FSC) FOIA Office for further processing and direct response to you under the FOIA tracking number 26-15155-F. The VA FSC FOIA Office received the referral on April 16, 2026 under the above-mentioned FOIA tracking number, placed it in the Complex processing category and stated that we would search for records responsive to your FOIA request that were gathered or created by the VA FSC on and before the date your request is sent out for record search.

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Fee Waiver

In your request letter you also sought a fee waiver. Your request for a fee waiver has been granted.

Search

On April 16, 2026, a search inquiry was sent to the Financial Healthcare Service (FHS) requesting they conduct a search for documents responsive to your request. The search was conducted by utilizing the search criteria of Agency Name, claims, directives, guidance, protocols, and/or policies, notifications, cancellations, terminations, and/or other notices and timeframe you provided on the FSC Internal Shared Drive and Microsoft Outlook. At the conclusion of their search, FHS located 13 documents, totaling 126 pages, as responsive to your request. Upon review of the responsive records, the FSC FOIA Office has determined 12 documents, totaling 125 pages have been withheld in full under FOIA Exemption 5, 5 U.S.C. § 552(b)(5) and FOIA Exemption 6, 5 U.S.C. § 552(b)(6). Therefore, the FSC FOIA Office is releasing 1 document, containing 1 page in part under FOIA Exemption 6. You will receive 1 page for this request.

Initial Agency Decision

Upon completion of the FSC FOIA Office's review, it was determined that 12 documents contain information which must be withheld under the disclosure protections of FOIA Exemption 5, 5 U.S.C. § 552(b)(5) and FOIA Exemption 6, 5 U.S.C. § 552(b)(6). Therefore, they are withholding 125 pages in their entirety under Exemption 5 and 6. Exemption 5 protects "inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency."

The next step in the Exemption 5 analysis is to determine which, if any, of the civil discovery privileges are applicable. The FSC FOIA Office determined the documents fall under the deliberative process privilege. The general purpose of the deliberative process privilege of Exemption 5 is to "prevent injury to the quality of agency decisions." The three policy purposes held to constitute the basis for this privilege are: (1) to encourage open, frank discussions on matters of policy between subordinates and superiors; (2) to protect against premature disclosure of proposed policies before they are actually adopted; and (3) to protect against public confusion that might result from disclosure of reasons and rationales that were not in fact ultimately the grounds for an agency's action. The deliberative process privilege is designed to protect the decision-making processes of a government agency. This privilege protects documents as well as the integrity of the deliberative process itself where the exposure of the process would result in harm to the decision process.

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The courts have established two requirements, both of which must be met, for the deliberative process privilege to be invoked. First, the document must be pre-decisional, i.e., antecedent to the adoption of agency policy. Second, the document must be deliberative in that it makes recommendations or expresses opinions on legal or policy matters and is related to the process by which agency policy is formulated. Stated another way, the deliberative process privilege protects a document or its content when it makes recommendations or expresses opinions about legal or policy matters during a decision-making process and the document is not the decision document or incorporated into the decision document. Additionally, in accordance with the FOIA Improvement Act of 2016, an agency shall withhold information under the FOIA only if the agency reasonably foresees that disclosure would harm an interest protected by an exemption or disclosure is prohibited by law.

The status of the document's content is pre-decisional as the document has not been fully executed and release of this information would cause injury to the deliberative process. The deliberative process privilege of Exemption 5 is invoked as it is determined that the release of the pre-decisional information to the public would negatively impact frank discussions on matters concerning the decision-making process between subordinates and their superiors. Additionally, it is the FSC FOIA Office's conclusion that the premature release of the documents' content before a final decision was made and actually adopted would create public confusion as the content may indicate proposed recommendations that are not ultimately accepted. Until a decision is made regarding the execution of the document, premature release of the document's content may confuse the public, as the information contained within the document may not be consistent with the final actions and decisions of the agency. VA seeks a full, unbiased review of any proposed recommendations as part of the decision-making process to encourage the sharing of ideas and opinions between subordinates and their superiors. Protection of the decision-making process will help to ensure this result. For the reasons identified in the above paragraph, they have determined disclosure would cause a reasonably foreseeable harm to the decision-making process. Consequently, the FSC FOIA Office is withholding this information, as indicated by the redactions on the enclosed documents, under the deliberative process privilege of Exemption 5, 5 U.S.C. § 552(b)(5).

In addition, the FSC FOIA Office has determined that the 12 documents mentioned above, and the one document disclosed in part contain information, which falls within the disclosure protections of FOIA Exemption 6, 5 U.S.C. § 552(b)(6). As a result of their determination, they are withholding information under FOIA Exemption 6 as indicated on the enclosed pages by the notation of "(b)(6)".

Exemption 6 protects information about individuals in "personnel and medical files and similar files" when disclosure of such information would constitute a clearly unwarranted invasion of personal privacy. In determining whether Exemption 6 protects against disclosure, courts require agencies to follow a four-step analysis: first, determine whether the information at issue is a personnel, medical, or "similar" file; second, determine whether there is a significant privacy interest in the requested

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information; third, evaluate the requester's asserted FOIA public interest in disclosure; and finally, if there is a significant privacy interest in nondisclosure and a FOIA public interest in disclosure, balance those competing interests to determine whether disclosure "would constitute a clearly unwarranted invasion of personal privacy." To determine if Exemption 6 was applicable, the FSC FOIA Office had to first conclude if the information met the threshold of records covered by the exemption. They have determined the information does meet the threshold of records covered by Exemption 6, as courts have made it clear that all information that applies to a particular living individual meets the thresholds of requirements of exemption 6 protection.

Next step in the Exemption 6 analysis is to determine if there is a significant privacy interest in the requested information. The individuals in the documents have a privacy interest in the disclosure of their employee names, position titles, mailing addresses, direct telephone numbers, email addresses, and electronic and handwritten signatures to avoid unsolicited questions or harassment regarding them.

The third step in the Exemption 6 analysis is to evaluate the requester's asserted FOIA public interest in the disclosure of the information to which individuals have a significant privacy interest in its release. In order to constitute a FOIA public interest in the disclosure, the information must shed light on an agency's performance of its stationary duties. Information that does not directly reveal government operations or activities falls outside of the scope of public interest. *See* United States Department of Justice v. Reporters Committee for Freedom of the Press, 489 U.S. 749, 773 (1989).

Stated another way, the FSC FOIA Office must consider whether disclosure of the withheld information would shed light on VA's performance of its stationary duties. While requesters are typically not required to provide the reasons for requesting information, when disclosure could result in an invasion of personal privacy, the requester bears the burden of establishing that disclosure would serve a FOIA public interest. A requester's personal interest in disclosure is irrelevant to the public interest analysis. In evaluating your asserted FOIA public interest in the disclosure of the information, the FSC FOIA Office has determined there is no public interest in the disclosure of employee names, position titles mailing addresses, direct telephone numbers, email addresses, and electronic and handwritten signatures as disclosure would not shed light on VA's performance of its statutory duties.

Since the FSC FOIA Office has determined there is no public interest in the disclosure, there is no balancing test under the last step of the analysis. Therefore, they are withholding names, position titles, mailing addresses, direct dial phone numbers, and email addresses under Exemption 6. As indicated in the above paragraphs, the individuals associated with this information have a personal privacy interest that outweighs any public interest served by disclosure of the information under FOIA. It is foreseeable that the release of the direct contact information of the people found in these documents and subsequent dissemination of this information by you will lead to these persons being directly contacted and harassed. Consequently, employee names,

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position titles, mailing addresses, direct telephone numbers, email addresses, and electronic and handwritten signatures are being withheld.

Of note, the FOIA does not require agencies to create new records or to conduct research, analyze data, or answer questions when responding to requests. However, the FOIA does require an agency to provide records, if they exist, that can assist the FOIA requestor in answering his/her question.

Fee Category Determination

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 (1) commercial use requesters; (2) educational institutions, noncommercial scientific institutions and representative of the news media; and (3) all other requesters. The FSC FOIA Office has determined your request to be in the category of All Other. The determination to classify this request as an All Other Requestor is based on the fact that you do not fall under any other category.

As an all other requester, VA FOIA implementing regulations found at 38 C.F.R. §1.561(c)(4) 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 free, and for the cost of reproduction of the records only, excluding charges for the first 100 pages. In addition, VA FOIA regulation 38 C.F.R. § 1.561(h)(1) states that the VA will not charge the requester if the fee is $25 or less. Moreover, the all other requester will be charged the cost of searching for and reproducing the records even if there is ultimately no disclosure of records. There are no search charges associated with this request as total search time was less than two hours. In addition, there are no duplication costs associated with this request as the total number of pages is less than 100. Consequently, there are no processing fees associated with FOIA request 26-15155-F.

This concludes the FSC's response to FOIA request 26-15155-F. If you disagree with the determinations set forth in this response, please be advised you may appeal to the VA Office of General Counsel. Appeals may be submitted electronically, faxed or mailed to the following address:

Office of the General Counsel (024)
Department of Veterans Affairs
810 Vermont Avenue, N.W.
Washington, DC 20420
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.

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

VA FOIA Public Liaison:
foiahelp@va.gov

Office of Government Information Services
National Archives and Records Administration
8601 Adelphi Road
College Park, MD 20740-6001
ogis@nara.gov

If you should have any questions, please feel free to contact the VA Financial Services Center FOIA Officer at VAFSC_FOIA@va.gov.

Sincerely,

Melissa Moore
Acting, Chief Management Officer
Financial Services Center

Enclosure: 1 page

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U.S. Department of Veterans Affairs

VA's Financial Services Center
PO Box 149971
Austin, TX 78714-9970

August 19, 2025

(b)(6)
(b)(6) Immigration and Customs Enforcement (ICE) Health Service Corps (IHSC)
(b)(6)
Washington, DC 20528

Dear (b)(6)

In accordance with FY 25 Interagency Agreement (IAA), No. 104FSC251050000, the Department of Veterans Affairs (VA) is providing notice to terminate medical claims processing and charge card services to the Department of Homeland Security (DHS), Immigration and Customs Enforcement Health Service Corps (IHSC), effective 180-calendar days from September 1, 2025. We will discontinue processing claims on **February 28, 2026**. This termination is necessary to reallocate resources to support mission-facing programs serving Veterans, families, caregivers, and survivors.

During the 180-day period, the VA Financial Services Center (FSC) will coordinate closely with DHS-IHSC to complete an orderly transition, that includes but not limited to archiving data, draw-down of claims processing, and other decommissioning efforts to ensure a smooth transition. Please note, a new FY 26 agreement will be required to continue the service into the next fiscal year. Work will not commence in FY 26 until the IAA is signed and funded by DHS.

If you have any questions or concerns regarding the termination of this agreement, please contact (b)(6) FSC (b)(6)@va.gov). If you have any questions regarding the transition and decommission process and timeline, please contact (b)(6) FSC (b)(6)@va.gov).

(b)(6)
(b)(6)
(b)(6) Financial Services Center

Cc: (b)(6)
(b)(6)

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