

# FOIA Schedule of Fees—32 CFR 286.12

## Categories of Requestors

- 1) Commercial—Commercial use requests are requests that asks for information for a use or purpose that furthers a commercial, trade, or profit interest, which can include furthering those interests through litigation.
- 2) Educational Institution— Any school that operates a program of scholarly research. A requester in this fee category must show that the request is made in connection with his or her role at the educational institution. We may seek verification from the requester that the request is in furtherance of scholarly research.
- 3) Noncommercial Scientific Institution— An institution that is not operated on a “commercial” basis and is operated solely for the purpose of conducting scientific research the results of which are not intended to promote any particular product or industry. A requester in this category must show that the request is authorized by and is made under the auspices of a qualifying institution and that the records are sought to further scientific research and are not for a commercial use.
- 4) News Media—Any person or entity that gathers information of potential interest to a segment of the public, uses its editorial skills to turn raw materials into a distinct work, and distributes that work to an audience. The term “news” means information that is about current events or that would be of current interest to public. Examples of news media entities include television or radio stations that broadcast “news” to the public at large and publishers of periodicals that disseminate “news” and make their products available through a variety of means to the general public, including news organizations that disseminate solely on the internet. “Freelance” journalists who demonstrate a solid basis for expecting publication through a news media entity shall be considered as a representative of the news media. A publishing contract would provide the clearest evidence that publication is expected.

**Charging Fees** – The following fees will be charged unless a fee waiver or reduction of fees has been granted:

- (1) Search—DoD Components may properly charge for time spent searching even if no responsive records are located or if the records are determined to be entirely exempt from disclosure, this includes electronic searches. For requests that require the retrieval of records by a DoD Component at a Federal records center operated by NARA, additional costs will be charged in accordance with the Transactional Billing Rate Schedule established by NARA.

(2) Duplication—DoD Components will honor a requester's preference for receiving records in a particular form or format where it is readily reproducible. Where photocopies are supplies, DoD Components will provide one copy per request at \$0.15 per page. For copies of records produced on tapes, disks, or other media, or other forms of duplication, DoD Components will charge the direct costs of producing the copy, as well as the reproduction fees at the hourly rates (see below) if the creation of the electronic copies requires unique security procedures incurring considerable operator time, costing more than printing paper copies.

(3) Review—Review fees shall be assessed in connection with the initial review of record, *i.e.*, the review conducted to determine whether an exemption applies to a particular record or portion of a record. Review fees will be charged at the same rates as those for a search.

<b>Commercial Use</b>	<b>Media/Educational/Non-Commercial Scientific Institutional Use</b>	<b>All Others</b>
All search, review and paper reproduction fees	Paper reproduction fees over 100 pages	Search time over 2 hours and paper reproduction fees over 100 pages

<b>Hourly Fees for Search and Review</b>		
Type	Grade	Hourly Rate
Administrative	E-9/GS-8 and Below	\$24
Professional	Contractor/O-1 to O-6/W-1 to W-5/GS-9 to GS-15	\$48
Executive	O-7 and Above and Senior Executive Service	\$110