

§ 9901.8

5 CFR Ch. XCIX (1–1–15 Edition)

(1) *Commercial use requesters* pay for search, review, and duplication.

(2) *Educational institutions, non-commercial scientific institutions and representatives of the news media* pay only for duplication (excluding charges for the first 100 pages or its cost equivalent).

(3) *All other requesters* pay for search (excluding the first two hours) and duplication (excluding charges for the first 100 pages or its cost equivalent).

(f) *Charges.* In responding to FOIA requests, MCRMC will charge the following fees unless a waiver or reduction of fees has been requested and granted under this subpart. The fee amounts provided below account for direct costs.

(1) *Search and review.* For each quarter hour spent by MCRMC searching for requested records, including electronic searches, or reviewing records, the fee will be \$10.77.

(2) *Duplication.* Duplication fees will be charged to all requesters, subject to the restrictions of this subpart. MCRMC will honor a requester's preference for receiving a record in a particular format where it is readily reproducible in that form or format. Where photocopies are supplied, MCRMC will provide one copy per request at a cost of five cents per page. For copies of records produced on tapes, disks, or other electronic media, MCRMC will charge the direct costs of producing the copy, including operator time. Where paper documents must be

scanned to comply with a requester's preference to receive the records in an electronic format, the requester shall pay the direct costs associated with scanning those materials. For other forms of duplication, MCRMC will charge the direct costs.

(3) *Special charges.* MCRMC shall recover the full cost of providing special services, such as sending records by an overnight delivery service, to the extent that MCRMC elects to provide them, as special services are not required by FOIA.

(4) *Aggregating requests.* When the FOIA Officer reasonably believes that a requester or a group of requesters acting in concert is/are attempting to divide a request into a series of requests for the purpose of avoiding fees, the FOIA Officer may aggregate those requests and charge fees accordingly.

(5) *Advance payment.* When a requester has previously failed to pay fees in a timely fashion or MCRMC has determined that the fee will exceed \$250, MCRMC may require advance payment of fees.

(6) *Remittances.* Payment shall be made in the form of check or money order made payable to the Treasury of the United States. At the time the FOIA Officer notifies a requester of the applicable fees, the FOIA Officer shall inform the requester of where to send the payment.

PARTS 9902–9999 [RESERVED]