

PART I. COLLECTABLE COSTS FOR A FOI REQUEST

A requester can be charged for various services performed by agency personnel who are responding to the request. An estimate of these costs must be reported to the ITA FOI officer before beginning the search and review. Chargeable costs vary depending on the type of requester:

- Commercial Use requesters (Corporations and Law Firms) - All Search, Review, and Duplication costs are chargeable.
- Educational Institutions, Non-Profit Scientific Groups or News Media Representatives - Duplication costs are chargeable (after the first 100 pages).
- All other requesters - Search and Duplication costs are chargeable (after the first 100 pages of duplication and the first two hours of search time).

To calculate the total amount of these charges:

- Determine the hourly rate(s) (Annual Salary/2087 hours) of the person(s) doing the work.
- Multiply the rate(s) times the hours of search and review time.
- Add duplication costs (@ \$.16 per page) to determine total collectable costs.

Note: Some costs cannot be charged. These include time spent by ITA personnel (both professional and clerical) in preparing a FOI response (writing and typing, obtaining clearances, or resolving general legal or policy issues regarding the application of exemptions). All fees are waived (including search, review, and duplication charges) when the amount is less than \$ 20.00.

Part II. Include the following appeal paragraph in all denials:

You have the right to appeal this response. An appeal must be received within 30 calendar days of the date of this letter by the Assistant General Counsel for Administration, Room 5898-C, U.S. Department of Commerce, 14th & Constitution Avenue, NW, Washington, DC 20230. Your appeal may also be sent by e-mail to FOIAAppeals@doc.gov or by facsimile (fax) to 202/482-2552. The appeal must include a copy of the original request, this response to the request, and a statement of the reason why withheld records should be made available and why denial of the records was in error. The submission (including e-mail and fax submissions) is not complete without the required attachments. The appeal letter, the envelope, the e-mail subject line, and the fax cover sheet should be clearly marked "Freedom of Information Act Appeal." The e-mail, fax machine, and Office are monitored only on working days during normal business hours (8:30 am to 5:00 pm, Eastern Standard Time, Monday through Friday). FOIA appeals posted to the e-mail box, fax machine or Office after normal business hours will be deemed received on the next business day.

Additional information is provided in ITA Administrative Instruction 6-3, "Freedom of Information."

