

November 30, 2007

FEES FOR PROVIDING RECORDS

The Smithsonian Institution establishes and charges fees consistent with the Freedom of Information Act (FOIA) (5 U.S.C., § 552) and other regulations relevant to charging fees under the FOIA.

The fee to copy paper records is \$0.10 per page. For copies produced by computer, such as CDs or printouts, the fee is the direct cost of producing the copy, including the operator's time. The fee to search for paper records is \$7.00 per quarter hour. For computer searches of records, the fee is the direct cost of conducting the search, including the cost of operating a central processing unit for the time that is directly attributable to searching for responsive records, and the cost of the operator's salary apportionable to the search. The fee to review and redact records is \$7.00 per quarter hour. Fees are charged in the following manner:

1. When records requested will be used for a commercial purpose, a requester is charged:
 - fees for copying
 - fees for searching for records responsive to the request
 - fees for reviewing responsive records

2. When records are requested by (1) a representative of a news organization or (2) a representative of an educational or noncommercial scientific organization, and will be used for scholarly or scientific research, then the requester is charged:
 - fees for copying after the first 100 pages
 - no fees for searching
 - no fees for reviewing

The terms *news organization* and *educational or noncommercial scientific organization* are defined under the standards set forth in the FOIA as interpreted by the federal courts.

3. When records are requested by anyone else for a noncommercial purpose, the requester is charged:

- fees for copying, after the first 100 pages
- fees for searching, after the first two hours
- no fees for reviewing

The Institution may require advance payment if fees are likely to exceed \$250 or if the requester previously has failed to pay fees within 30 days of being billed. A requester will not be charged if the cost of billing would exceed the fee. The Institution will aggregate requests if it determines a single request was divided into several for the purpose of avoiding fees.

The Institution may change fees from time to time to reflect changes in costs to the Institution.

Written requests for fee waivers are decided on a case-by-case basis consistent with the FOIA and other laws relevant to the disclosure of agency records.
