

Requester FEE Determination

I am:

- a representative of the news media affiliated with the _____ newspaper (magazine, television station, etc.), and this request is made as part of news gathering and not for a commercial use.
- I am affiliated with an educational or non-commercial scientific institution, and this request is made for a scholarly or scientific purpose and not for commercial use.
- I am affiliated with a private business and am seeking information for use in the companies business.
- I am an individual seeking information for personal use and not for a commercial use.

I am willing to pay fees for this request up to a maximum of \$ _____. If you estimate that the fees will exceed this limit, please inform me first.”

To help minimize the fee and to ensure proper processing of your request, describe the specific records you are requesting in sufficient detail so that they can be located with a reasonable amount of effort. Generally, a record is reasonably described when the description contains sufficient file-related information (type of document, title, subject area, date of creation, originator, etc.); or the request contains enough event-related information (date and circumstances surrounding the event the record covers) to permit the conduct of an organized, non-random search.

If you seek a fee waiver, provide a justification for such a waiver.

Refer to the section titled “Do I have to pay for a FOIA request” for more information regarding fees and waivers, go to the Citizen’s Guide.

Do I have to pay for a FOIA request? The FOIA allows uniform fees to be charged to certain types of requesters, but it also provides that waivers or reductions in fees be given if disclosing the information is in the public interest. The FOIA requires that requesters be placed into one of the below categories:

Commercial. *Requesters who seek information for a use or purpose that furthers their* commercial, trade, or profit interest are considered commercial requesters. Commercial requesters pay all fees for search, review, and duplication.

Educational. *Institutions of education, including preschools, elementary or secondary* schools and institutions of higher learning, qualify as educational institutions. The records must be sought in furtherance of scholarly research. Educational requesters pay only duplication fees, unless it is determined that fees are waived or reduced in the public interest. The first 100 pages are provided at no cost.

Non-Commercial Scientific. *A non-commercial scientific institution is operated solely* for conducting scientific research. The records must be sought in furtherance of scientific research. Like educational requesters, these requesters pay only duplication fees, unless it is determined that fees are waived or reduced in the public interest. The first 100 pages are provided at no cost.

News Media. *A representative of the news media is a person actively gathering news for* an entity organized and operated to publicize or broadcast news to the public. News media pay only duplication fees, unless it is determined that fees are waived or reduced in the public interest. Again, the first 100 pages are provided at no cost.

“Other” Requester. *Requesters who do not qualify in another category are considered “other” requesters, and normally make requests for agency records for their personal use. “Other” requesters receive two hours search, all review costs, and the first 100 pages at no cost.*

All requesters must submit a willingness to pay fees regardless of the fee category; however, this does not mean you will be charged fees. Except for commercial requesters whose fees total more than \$15.00. On a case by case basis, waivers are considered. Fee waivers may be granted when disclosure of the records is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government. The following factors are weighed in making a fee waiver determination:

- The subject of the request.
- The informative value of the information to be disclosed.
- The contribution to an understanding of the subject by the general public likely to result from the disclosure.
- The significance of the contribution to public understanding.
- Disclosure of the information is not primarily in the commercial interest of the requester.
- The ability of the requester to disseminate the information.