



DEPARTMENT OF STATE

Washington, D.C. 20520

Date: 1/30/78


In reply refer to  
Case No. 810184

Dear Mr. Wechsung :

1. Your request for material under the Freedom of Information Act, received in this office on 1/26/78 is hereby acknowledged.
2. Your further request of \_\_\_\_\_ under the Freedom of Information Act received in this office on \_\_\_\_\_ concerning \_\_\_\_\_ is hereby acknowledged.
3. Your request will be processed in accordance with the terms of the Act and you will hear from us as soon as possible.
4. The Department of State is authorized to collect fees to offset the costs of administering the Act, and a schedule of fees is enclosed. Waiver of fees on grounds of public benefit can be granted only if the requester makes an affirmative showing of such benefit.
5. Our records indicate that you have an outstanding debt of \$ \_\_\_\_\_ for services previously rendered to you by the Department of State under this Act. Regulations require that this debt be satisfied before we can proceed with your current request. You are therefore requested to send this office a check or money order for the above amount, payable to the U.S. Treasury, on receipt of which we will be happy to initiate work on your request.

- (4) 6. A preliminary survey indicates that your request will involve extensive consultation, and/or the examination of widely disbursed or voluminous records. An extension of 10 days has therefore been authorized by the Director, Freedom of Information Office, for processing your request, as provided for under the Act.
- ( ) 7. Your request does not appear to fall within the limits of "reasonable definition" as set out by the Act. We are therefore asking you to consider whether your request could be more sharply defined or limited in extent, and whether you wish to state a limit for costs to be incurred. We will be happy to discuss this further with you by phone if you will tell us when and where you may be reached.
- ( ) 8. Your request does not appear to fall under the Freedom of Information Act because it does not refer to records or documents of the Department. If you have any information as to such records or documents on the subject you now request, please inform us.
- ( ) 9. Since your request involves records the referral of which to unauthorized persons might be construed as an invasion of privacy, we must ask you to forward evidence that you are the person described in these records (if you are applying on your own behalf) or that you are duly authorized to represent a third party whose records you are requesting. Information such as your date and place of birth and Social Security number is usually sufficient for requests concerning yourself; for third party requests an authorizing statement is required from the person you represent.
- (4) 10. In future correspondence on this request please refer to case number at head of form.
- ( ) 11. Where No. 5 or any of Nos. 7 through 9 above is checked, the 10 day time limit is suspended until a reply is received from the requester.

Sincerely,

  
Barbara Ennis  
Director  
Freedom of Information Staff  
Bureau of Public Affairs



DEPARTMENT OF STATE

Washington, D.C. 20520

Department of State

Fee Waiver Guidelines

In general, to qualify for a waiver on the grounds of public interest or benefit, a request should be:

a) of no financial benefit, direct or indirect, to the person or organization making it;

b) of major intrinsic or historical importance;

c) for information not already substantially on the record;

d) of genuine interest to a large section of society, and not primarily to any one special interest group, however prominent;

e) made available by the requester and/or by the Department to all interested parties;

f) not made by a requester, personal or organizational, from whom unpaid fees remain due to the Department for another Freedom of Information Act request.

DEPARTMENT OF STATE

[22 CFR Part 6]

[Docket No. SD-113]

FREEDOM OF INFORMATION POLICY AND PROCEDURES

Fee Schedule; Proposed Amendment

The Department of State is considering an amendment to Title 22, Part 6 of the Code of Federal Regulations that would revise § 6.9 (a) and (b) concerning the schedule of fees for searching for records and related services rendered under the Freedom of Information Act, as amended (5 U.S.C. 552).

Interested persons may participate in the proposed amendment by submitting such written data, views, or arguments as they may desire. Communications should be submitted to the Assistant Legal Adviser for Management, Room 5423, Department of State, Washington, D.C. 20520. All communications received on or before September 19, 1975 will be considered before action is taken on the proposed amendment. Comments received will be available for public examination in the public reading room of the Department of State, 2201 C Street, NW., Washington, D.C.

The proposed changes reflect both the recent experience of the Department with requests for records not filed centrally and recent analyses of the distribution of Departmental and Foreign Service employees, equivalent to the GS grade levels 2 through 18, who perform search services under the Freedom of Information Act, as amended. The proposed charges reflect the average weighted salary for all Departmental and Foreign Service employees, comparable to the GS-2 through GS-10 level, who could be called upon to perform searches; and the average weighted salary for Departmental and Foreign Service employees comparable to the GS-11 through GS-18 level who could be called upon to perform search and related services. In the proposed amendment, charges for computer service costs, in response to requests for nonroutine types of services, is added.

The Department finds that requests for records not filed centrally frequently require the use of telegrams to and from its overseas establishments in order to meet the time limits established for the collection of requested records. Paragraph (b) of § 6.9 is amended to include provision for this cost which will be held to a minimum and used only when necessary.

Paragraphs (a) and (b) of § 6.9 of Title 22 of the Code of Federal Regulations are proposed to be revised and amended to read as follows:

§ 6.9 Schedule of fees and method of payment for services rendered.

(a) The following specific fees shall be applicable with respect to services rendered to members of the public under this Part, except that the search fee will normally be waived when the search involves less than one-half hour of clerical time.

- (1) Search for records, per hour or fraction thereof—
  - (i) Professional..... \$11.00
  - (ii) Clerical..... 6.00
- (2) Computer service charges per second for actual use of the computer central processing unit..... .25
- (3) Copies made by photostat or otherwise (per page); maximum of 5 copies will be provided..... .10
- (4) Certification of each record as a true copy..... 1.00
- (5) Certification of each record as a true copy under official seal..... 1.50
- (6) Duplication of architectural photographs and drawings..... 2.00

(b) If records requested under this Part are stored elsewhere than the headquarters of the Department of State at 2201 C Street, NW., Washington, D.C., the special costs of returning such records to the headquarters shall be included in the search costs. These costs will be computed at the actual cost of transportation of either a person or the requested record between the place where the record is stored and Departmental headquarters when, for time or other reasons, it is not feasible to rely on Government mail service or diplomatic pouch. The most economical means of transportation available and consistent with the purpose of incurring special costs shall be utilized. Such costs will also include the cost of any telegrams sent to the Department's overseas establishments to facilitate timely identification, location, and assembly of records requested. Search costs are due and payable even if the record which was requested cannot be located after all reasonable efforts have been made, or if the Department determines that a record which has been requested, but which is exempt from disclosure under this Part, is to be withheld.

Y6.14

Y6.14

Y6.14