

### ***Proposed FOIA Fee Schedule***

***AGENCY:*** Assassination Records Review Board (ARRB)

***Summary:*** ARRB recently published for comment its proposed regulations implementing the Freedom of Information Act. Under the proposed regulations the Board would promulgate a schedule of fees for the processing of FOIA requests. This notice sets forth the Board's proposed FOIA fee interested organizations and individual members of the public.

***DATES:*** To be considered, comments must be mailed or delivered to the address listed below by 5:00 on (Date)

***ADDRESSES:*** Comments on the proposed fee schedule should be mailed or delivered to the ARRB, 600 E Street NW 2nd Floor, Washington, DC 20530. All comments will be placed in the Board's public files and will be available for inspection between (Times and

Days) Mondays through Fridays (except on legal holidays), in the Board's Public Reading Room at the same address

**FOR FURTHER INFORMATION CONTACT:**

Sheryl L. Walter, General Counsel, ARRB, 600 E. Street NW, 2nd Floor, Washington, DC. 20530, (202)724-0088

**SUPPLEMENTARY INFORMATION:**

In its proposed FOIA regulations (X) CFR (XXXX.107(b)(6)) the Board provides that (\*) would promulgate a schedule of fees for processing FOIA, as amended by the Freedom of Information Reform Act of 1986, Public Law 99-570, title I, section 1802, 1803, 100 Stat. 3207-48, 3207-49, provided that the Office of Management and Budget (OMB) would issue guidance to all federal agencies on the establishment of FOIA fees. 5 U.S.C. 552(a)(4)(A)(i). Pursuant to notice and comment, OMB issued in 1987 its Uniform Freedom of Information Act Fee Schedules and Guidelines, 52 FR 10012. Since the FOIA requires that each agency's fees be based upon its direct, reasonable costs of providing FOIA services, OMB did not provide a unitary, government-wide schedule of fees. See 5 U.S.C. 552(a)(4)(A)(ii), 552(a)(4)(A)(iv), and OMB's discussion at 52 FR 10015. However, OMB provided guidance on the types of costs that may properly be considered in establishing fees under the FOIA.

The Board's proposed fee schedule is consistent with the OMB guidance. The components of the proposed fees (hourly charges for search or review and charges for copies of requested documents) and based upon the Board's specific costs.

**The Proposed Action**

Accordingly, the Board proposes to establish the following schedule of fees for services performed in response to FOIA requests:

ARRB

(Implementing X CFR XXXX (b)(6))

*Search or review Charge/(\$ 00.00 per hour)*

*Copy charge (paper)(8.5"X11")/\$.05 per page or generally available commercial rate.*

*Copy charge (3.5" diskette)*

*Copy charge (audio cassette)/\$3.00 per cassette.*

*Search or review charge/\$38.00 per hour*

*Coping large documents (e.g., maps, diagrams)/Actual commercial rates.*