

TITLE 1. MAYOR AND EXECUTIVE AGENCIES
CHAPTER 4. FREEDOM OF INFORMATION

CDCR 1-408 (2013)

1-408. FEES.

408.1 Charges for services rendered in response to information requests shall be as follows (not to exceed a maximum search fee per request as may be imposed by applicable law):

- (a) Searching for records, \$ 4.00 per quarter hour, after 1st hour, by clerical personnel (DS 1 through 8);
- (a-1) Searching for records, \$ 7.00 per quarter hour after the 1st hour, by professional personnel (DS 9 through 13);
- (b) Searching for records, \$ 10.00 per quarter hour after the 1st hour, by supervisory personnel (DS 14 and above);
- (c) Copies made by photocopy machines... \$.25 per page;
- (d) Charges for the initial review of documents, as permitted by applicable law, shall be assessed at the rate provided in subsections (a), (a-1), and (b) above.

408.2 When a response to a request requires services or materials for which no fee has been established, the direct cost of the services or materials to the government may be charged, but only if the requester has been notified of the cost before it is incurred.

408.3 Where an extensive number of documents is identified and collected in response to a request and the requester has not indicated in advance his or her willingness to pay fees as high as are anticipated for copies of the documents, the agency shall inform the requester that the documents are available for inspection and for subsequent copying at the established rate.

408.4 A charge of one dollar (\$ 1) shall be made for each certification of true copies of agency records.

408.5 Search costs, not to exceed any dollar limitation prescribed by the Act for each request, may be imposed even if the requested record cannot be located. No fees shall be charged for examination and review by an agency to determine whether a record is subject to disclosure.

408.6 To the extent permitted by applicable law, an agency shall require that fees as prescribed by these rules shall be paid in full prior to issuance of requested copies.

408.7 Remittances shall be in the form either of a personal check or bank draft on a bank in the United States, or a postal money order. Remittance shall be made payable to the order of the D.C. Treasurer and mailed or otherwise delivered to the Freedom of Information Officer, or the head of the agency in the absence of a designated Freedom of Information Officer.

408.8 A receipt for fees paid shall be given only upon request. No refund shall be made for services rendered.

408.9 An agency may waive all or part of any fee when it is deemed to be either in the agency's interest or in the interest of the public.

408.10 A requester seeking a waiver or reduction of fees shall provide a statement in his or her request letter explaining how the requested records will be used to benefit the general public.

408.11 The price for the publication *Indices: A Statistical Index to the District of Columbia* shall not exceed sixty dollars (\$ 60), to be paid by check made payable to the "D.C. Treasurer."

STATUTORY AUTHORITY: Unless otherwise noted, the authority for this chapter is the Freedom of Information Act of 1976, as amended, D.C. Law 1-96 (codified at D.C. Code §§ 1-1521 et seq. (1999 Repl.))

SOURCE: Final Rulemaking published at , 6216-17 (January 27, 1978); as amended by: Final Rulemaking published at (April 18, 1997); Final Rulemaking published at (May 16, 1997); Final Rulemaking published at 49 DCR 11562 (December 20, 2002); and Final Rulemaking published at 52 DCR 52, 57 (January 7, 2005).

