

may be identified and located. The request should include the name, address and telephone number of the requester. In order to enable the Office of Inspector General to comply with the time limitations set forth in §2002.17, both the envelope containing a written request and the letter itself should clearly indicate that the subject is a Freedom of Information Act request.

(c) The request must be accompanied by the fee or an offer to pay the fee as determined in §2002.7. At its discretion, the Office of Inspector General may require advance payment in accordance with §2002.15.

(d) Copies of available records will be made as promptly as possible. Copying service will be limited to not more than 10 copies of any single page. Records which are published or available for sale need not be reproduced.

[49 FR 11165, Mar. 26, 1984, as amended at 53 FR 37550 and 37552, Sept. 27, 1988; 59 FR 14097, Mar. 25, 1994]

**§2002.5 Records produced upon request when reasonably described.**

(a) When a request is made which reasonably describes a record of the Office of Inspector General (see §2002.3) which has been stored in the National Archives or other record center of the General Services Administration, the record will be requested by the Office of Inspector General if it otherwise would be available under this part.

(b) Every effort will be made to make a record in use by the staff of the Office of Inspector General available when requested, and such availability will be deferred only to the extent necessary to avoid serious interference with the business of the Office of Inspector General.

**§2002.7 Fees.**

(a) *Copies of records.* HUD will charge \$0.10 per page for copies of documents up to 11" x 14". For copies prepared by computer, such as tapes or printouts, HUD will charge the actual costs, including operator time, of production of the tape or printout. For other methods of reproduction or duplication, HUD will charge the actual direct costs of producing the document(s).

(b) *Manual searches for records.* Whenever feasible, HUD will charge at the

salary rate(s) (*i.e.*, basic pay plus 16 percent) of the employee(s) making the search. However, where a homogeneous class of personnel is used exclusively in a search (*e.g.*, all administrative/clerical, or all professional/executive), HUD will charge \$9.25 per hour for clerical time and \$18.50 per hour for professional time. Charges for search time less than a full hour will be billed by five-minute ( $\frac{1}{12}$  of one hour) segments.

(c) *Computer searches for records.* HUD will charge at the actual direct cost of providing the service. This will include the cost of operating the central processing unit (CPU) for that portion of operating time that is directly attributable to searching for records responsive to a FOIA request and operator/programmer salary apportionable to the search.

(d) *Contract services.* HUD will contract with private sector sources to locate, reproduce and disseminate records in response to FOIA requests when that is the most efficient and least costly method. When doing so, however, HUD will ensure that the ultimate cost to the requester is no greater than it would be if HUD itself had performed these tasks. In no case will HUD contract out responsibilities which the FOIA provides that HUD alone may discharge, such as determining the applicability of an exemption, or determining whether to waive or reduce fees. HUD will ensure that when documents that would be responsive to a request are maintained for distribution by agencies operating statutory-based fee schedule programs such as the National Technical Information Service, HUD will inform requesters of the steps necessary to obtain records from those sources. Information provided routinely in the normal course of business will be provided at no charge.

(e) *Restrictions on assessing fees.* With the exception of requesters seeking documents for commercial use, HUD will provide the first 100 pages of duplication and the first two hours of search time without charge. For non-commercial use requesters, HUD will not begin to assess fees until after HUD has provided the free search and reproduction.