



UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
STATION PLACE
100 F STREET, NE
WASHINGTON, DC 20549-2736

Office of FOIA Services

October 11, 2012

Ms. Amy Bennett
OpenTheGovernment.org
1100 G Street, NW, Suite 500
Washington, DC 20005

Re: Freedom of Information Act (FOIA), 5 U.S.C. § 552
Request No. 13-00420-FOIA

Dear Ms. Bennett:

Reference is made to the portion of your request, dated and received in this office on October 5, 2012, seeking a fee waiver regarding the report submitted by the SEC to the National Archives and Records Administration and the Director of the Office of Management and Budget relating to the Presidential Memorandum on Records Management.

With regard to your request for a fee waiver, decisions to waive or reduce fees are made on a case-by-case basis. A fee waiver is appropriate when "disclosure of the requested information is in the public interest because it is likely to contribute significantly to public understanding of the operations and activities of the government and is not primarily in the commercial interest of the requester," 5 U.S.C. § 552(a)(4)(iii). I will make a decision on your request for a fee waiver after a search for responsive documents is conducted and the volume and nature of the records are determined. We have initiated a search for the records you requested, and we will write to you again as soon as those results are known.

At this time, however, I have determined that, as a FOIA requester, you should be placed in the "commercial" fee category. The "commercial" fee category entitles you to receive the first half hour of search and/or review free of charge. Thereafter, the search and/or review fee is \$28.00 per hour, which does not include copying and/or imaging a page at the rate of \$0.24 each.

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You have the right to appeal this decision to our General Counsel under 5 U.S.C. § 552(a)(6), 17 C.F.R. § 200.80(d)(5) and (6). Your appeal must be in writing, clearly marked "Freedom of Information Act Appeal," and should identify the requested records. The appeal may include facts and authorities you consider appropriate.

In the interim, if you have any questions, please contact me at andersonc@sec.gov or (202) 551-8315. You may also contact me at foiapa@sec.gov or (202) 551-7900.

Sincerely,



Clarissa Anderson
FOIA Research Specialist