



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

November 20, 2012

MEMORANDUM TO: Margie A. Janney, Acting Director
Information and Records Services Division
Office of Information Services

FROM: Michele D. Kaplan, Acting Controller
Office of the Chief Financial Officer

SUBJECT: BIENNIAL REVIEW OF FEES FOR FREEDOM OF
INFORMATION ACT AND PRIVACY ACT

The Chief Financial Officer's (CFO) Act of 1990 requires CFO's to perform biennial reviews of fees and other charges imposed " . . . for services and things of value it provides and make recommendations on revising charges to reflect costs incurred by it in providing those things of value" (31 U.S.C. 902 (a) (8)). As your office has the responsibility for performing the Freedom of Information Act (FOIA) and Privacy Act (PA) reviews, I am asking that you again review these fees to determine if they should be modified to reasonably reflect costs incurred. The last review was performed by your office in April 2009.

The review report should include the following:

- The applicability of legislative and regulatory requirements related to FOIA and PA.
- The cost per unit to process FOIA and PA requests. The cost per unit should include relevant direct and indirect organizational costs. Please refer to the *Guidance on Biennial Review of Nuclear Regulatory Commission Fees* dated March 17, 2006 (ADAMS Accession Number ML060760220).
- Any proposed fee revisions for search and review of agency records by the NRC personnel, duplication per page, and minimum charge.

Please submit your report by February 28, 2013, for review by the Office of the Chief Financial Officer before implementing any fee revisions.

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