

FOIA Officer shall charge educational and non-commercial scientific institution requesters for document duplication only, except that the first 100 pages of copies shall be provided without charge.

(3) *News media requesters.* The FOIA Officer shall charge news media requesters for document duplication costs only, except that the first 100 pages of paper copies shall be provided without charge.

(4) *All other requesters.* The FOIA Officer shall charge requesters who do not fall into any of the categories in paragraphs (d)(1) through (3) of this section fees which recover the full reasonable direct costs incurred for searching for and reproducing records if that total costs exceeds \$15.00, except that the first 100 pages and the first two hours of manual search time shall not be charged. To apply this term to computer searches, the FOIA Officer shall determine the total hourly cost of operating the central processing unit and the operator's salary (plus 16 percent for benefits). When the cost of the search equals the equivalent dollar amount of two hours of the salary of the person performing the search, the FOIA Officer will begin assessing charges for the computer search.

(e) *Charges for unsuccessful searches.* Ordinarily, no charges will be assessed when requested records are not found or when records located are withheld as exempt. However, if the requester has been notified of the estimated cost of the search time and has been advised specifically that the requested records may not exist or may be withheld as exempt, fees may be charged.

(f) *Charges for interest.* The FOIA Officer may assess interest charges on an unpaid bill, accrued under previous FOIA request(s), starting the 31st day following the day on which the bill was sent to you. A fee received by the FOIA Officer, even if not processed, will result in a stay of the accrual of interest. The Commission shall follow the provisions of the Debt Collection Act of 1982, as amended, and the implementing procedures to recover any indebtedness owed to the Commission.

(g) *Aggregating requests.* The requester or a group of requesters may not submit multiple requests at the same time, each seeking portions of a document or documents solely in order to avoid payment of fees. When the FOIA Officer reasonably believes that a requester is attempting to divide a request into a series of requests to evade an assessment of fees, the FOIA Officer may aggregate such request and charge accordingly.

(h) *Advance payment of fees.* Fees may be paid upon provision of the requested records, except that payment may be required prior to that time if the requester has previously failed to pay fees or if the FOIA Officer determines the total fee will exceed \$250.00. When payment is required in advance of the processing of a request, the time limits prescribed in § 517.6 shall not be deemed to begin until the FOIA Officer has received payment of the assessed fee.

(i) *Payment of fees.* Where it is anticipated that the cost of providing the requested record will exceed \$25.00 after the free duplication and search time has been calculated, and the requester has not indicated in advance a willingness to pay a fee greater than \$25.00, the FOIA Officer shall promptly notify the requester of the amount of the anticipated fee or a portion thereof, which can readily be estimated. The notification shall offer the requester an opportunity to confer with agency representatives for the purpose of reformulating the request so as to meet the requester's needs at a reduced cost.

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DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 100

[CGD05-05-130]

RIN 1625-AA08

Special Local Regulations for Marine Events; Chesapeake Bay; Correction

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule; correction.

SUMMARY: The Coast Guard published a document in the *Federal Register* on March 9, 2006 (71 FR 12132), establishing special local regulations during the "Volvo Ocean Race 2005-2006", sailboat races to be held on the Chesapeake Bay in the vicinity east of Gibson Island, Maryland, and near the William Preston Lane Jr. Memorial (Chesapeake Bay) Bridge. The document contained incorrect coordinates to describe the regulated area.

DATES: The correction to this rule is effective April 29, 2006. The rule itself is effective April 29 through May 7, 2006.

FOR FURTHER INFORMATION CONTACT: Dennis Sens, Recreational Boating

Safety Specialist, Fifth Coast Guard District, telephone 757-398-6204, Fax 757-398-6203.

SUPPLEMENTARY INFORMATION: In FR Doc. 06-2204 appearing on page 12132 in the *Federal Register* of March 9, 2006, the following correction is made:

PART 100—[AMENDED]

§ 100.35-T05-130 [Corrected]

■ 1. On page 12134, in the third column, and on page 12135, in the first column, in § 100.35-T05-130 Chesapeake Bay, near Annapolis, MD, in amendment (2), revise paragraph (a)(2) to read as follows: "(2) The second segment for the 'Leg 6 Re-Start' is a rectangle-shaped area, approximately six nautical miles long and 1.5 nautical miles wide, bounded by a line drawn from a position at latitude, 38°54'21" N, longitude 076°26'42" W, thence easterly to a position at latitude 38°53'42" N, longitude 076°24'48" W, thence northerly to a position at latitude 38°59'40" N, longitude 076°21'42" W, thence westerly to a position at latitude 39°00'05" N, longitude 076°23'33" W, thence southerly to a position at latitude 38°54'21" N, longitude 076°26'42" W, the point of origin. The spectator areas will be designated around the perimeter of the race course and marked by picket boats and inflatable buoys. No spectators will be allowed within the actual race course.

S.G. Venckus,

Chief, Office of Regulations and Administrative Law.

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DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[COTP St. Petersburg 06-063]

RIN 1625-AA00

Safety Zone; Tampa, FL

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone on the waters of Tampa Bay, Florida in the vicinity of the Gandy Bridge, while bridge repairs are made. This rule is necessary to ensure the safety of the construction workers and mariners on the navigable waters of the United States.