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U.S. Department of Homeland Security  
Washington, DC 20528



Homeland  
Security

Privacy Office, Mail Stop 0655

March 24, 2009

Mr. Michael C. Ter Avest

[REDACTED]

Re: DHS/OS/PRIV 09-368

Dear Mr. Ter Avest:

This is the final response to your January 28, 2009, Freedom of Information Act (FOIA) request to the Department of Homeland Security (DHS), for records reflecting the cost of editing, publishing, and distributing the DHS publication *Select Speeches*, a volume of public statements of then Secretary Chertoff from 2005 through 2008. Your request was received in this office on March 16, 2009.

Per telephone conversation with this office on March 24, 2009, you were advised that the information you are seeking does not exist as a stand-alone document, but rather is a part of a larger Fiscal Year 2009 budget document. You stated that you are not interested in seeking a copy of the entire budget document, but rather that you are interested only in those records of costs specifically associated with the *Select Speeches* publication.

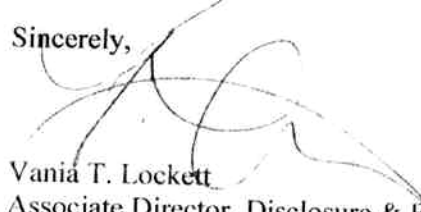
Please be advised that the FOIA does not require an agency to create new records and is limited to requiring agencies to provide access to reasonably described, nonexempt records. *NLRB v. Sears, Roebuck & Co.*, 421 U.S. 132, 162 (1975); *Zemansky v. EPA*, 767 F.2d 569, 574 (9th Cir. 1985). However, in the interest of time and as a courtesy to you, the following information is provided, which is responsive to your request:

CD - \$1,549.37  
Books - \$9,097.15  
Layout and design - \$5,318.74  
Total - \$15,965.26

Provisions of the FOIA allow us to recover part of the cost of complying with your request. In this instance, because the cost is below the \$14 minimum, there is no charge.

If you need to contact this office again concerning your request, please refer to **DHS/OS/PRIV/ 09-368**. This office can be reached at 866-431-0486.

Sincerely,

  
Vania T. Lockett  
Associate Director, Disclosure & FOIA Operations