

Department of the Navy, DoD

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Commander, 1421 Jefferson Davis Highway, Arlington, VA 22243-5120.

(2) *Facilities.* Send requests for information on facilities and land management (design, construction, and maintenance; utilities; housing; and real estate matters) to the Commander, Naval Facilities Engineering Command, 200 Stovall Street, Alexandria, VA 22332-2300.

(3) *Ships.* Send requests for information on ships and ordnance materials to the Commander, Naval Sea Systems Command, 2531 Jefferson Davis Highway, Arlington, VA 22242-5160.

(4) *Space and Naval Warfare.* Send requests for information on development technologies regarding battle force architecture and engineering, space communications, navigation, undersea and ocean surveillance, oceanographic matters, anti-submarine warfare, information transfer systems, and information management systems to the Commander, Space and Naval Warfare Systems Command, 2451 Crystal Drive, Arlington, VA 22245-5200.

(5) *Supply.* Send requests for information on naval supply matters to the Commander, Naval Supply Systems Command, 1931 Jefferson Davis Highway, Arlington, VA 22341-5360, and for Marine Corps supply matters to the Commandant of the Marine Corps, HQ USMC, 2 Navy Annex, Washington, DC 20380-0001.

(n) *Ships decklogs.* Send requests for ships decklogs originating after 30 June 1945 to the Director, Naval Historical Center, Ships' Histories Branch, 901 M Street SE., Washington Navy Yard, Washington, DC 20374-0571. Those originated prior to 1945 are held by the Chief, Military Reference Branch, Military Archives Division, National Archives, Washington, DC 20408.

(o) *Supply catalogs.* Send requests for Navy and Federal supply catalogs, master cross-reference indexes, and related cataloging publications (cataloging handbooks such as H2-1 and H2-3 and Federal manuals for supply cataloging, such as M1-1, -2 and -3) to Superintendent of Documents, United States Government Printing Office, Washington, DC 20402-9325.

(p) *Technical reports.* Send requests for unclassified technical reports or publications to the Director, National

Technical Information Service, 5285 Port Royal Road, Springfield, VA 20402.

(q) *Unknown.* If requesters are unable to determine the official having cognizance over the requested records, they should send their request for naval matters to the Chief of Naval Operations (N09B30), 2000 Navy Pentagon, Washington, DC 20350-2000, and Marine Corps matters to Commandant of the Marine Corps (Code ARAD), HQ USMC, 2 Navy Annex, Washington, DC 20380-0001.

[56 FR 66574, Dec. 24, 1991, as amended at 59 FR 29722 June 9, 1994]

§ 701.32 Locations at which Department of the Navy records are available for public inspection.

(a) *Navy Department Library.* The Navy Department Library is located at the Washington Navy Yard, Building 44, 9th and M Streets, SE, Washington, DC 20374-0571.

(1) *Hours of Operation.* 9 a.m. to 4 p.m., Monday through Friday, except holidays.

(2) *Type of Materials Held.* The library has 130,000 volumes of information of interest to the Navy, such as naval and general history, international law and diplomacy, naval architecture and shipbuilding, naval customs and traditions, naval shore stations, yards and bases, uniforms, insignia, awards and flags, geography, travel and guide books, aviation, Navy music, etc. Also contained are approximately 5,000 rare book collections. Additionally, the library has an index by subject matter of materials held, i.e., NAVPUBINST 5215.1B, Consolidated Subject Index, a quarterly publication which lists instructions originated by Washington Headquarters organizations and Marine Corps directives system checklist of directives distributed outside Headquarters, U.S. Marine Corps. The library is equipped with desks and study carrels for library users and has specialized devices to facilitate research, such as microfilm reader/printers, copy machines, and outlets for tape recorders.

(b) *Defense Reading Room.* The Defense Reading Room is located in Room 2E165 of the Pentagon, Washington, DC 20310-1400. Due to building security, upon arrival at the Pentagon, call 695-

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3973 to arrange for an escort to the Reading Room.

(1) *Hours of Operation.* 8 a.m. to 4 p.m., Monday through Friday, except holidays.

(2) *Type of Materials Held.* Microfiche copies of indexes and decisional documents regarding Navy Discharge Review Board and Board for Correction of Naval Records proceedings.

(c) *Law Library of the Judge Advocate General.* The law library is located at the Hoffman Building 2, Room 9S47, 200 Stovall Street, Alexandria, VA 22332-2400.

(1) *Hours of Operation.* 9 a.m. to 4 p.m., Monday through Friday, except holidays.

(2) *Type of Materials Held.* The library has published and unpublished decisions of the Navy-Marine Corps Court of Military Review, Navy and Marine Corps directives, miscellaneous superseded manuals, and courts-martial orders and the Navy Department Bulletin.

Subpart D—Fee Guidelines

SOURCE: 56 FR 66592, Dec. 24, 1991, unless otherwise noted.

§ 701.40 FOIA fees.

(a) *Background.* The FOIA Reform Act of 1986 brought about significant changes on how FOIA fees are assessed. Subpart D of this part highlights in detail the changes made and conforms with the Office of Management and Budget (OMB) Uniform Fee Schedule and Guidelines which were issued as a result of the Reform Act. OMB guidelines for fees reflect direct costs for search, review (in the case of commercial requesters), and duplication of documents, collection of which are permitted by FOIA.

(b) *DD Forms 2086/2086-1.* Naval activities are encouraged to utilize DD Forms 2086/2086-1 to track costs for each FOIA request processed, unless a standard processing cost can be computed for routine kinds of requests. The form is designed to track all costs and is utilized to compile fee information for the Annual FOIA Report. While not all costs can be charged to the requester for recoupment, they are nonetheless reportable as they provide

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Congress with an indepth look at the costs and time the Navy is expending to process FOIA requests.

(c) *Scope.* (1) The guidelines set forth below are not intended to imply that fees must be charged for providing information to the public in the routine course of business, nor are they meant as a substitute for any other schedule of fees, such as those in NAVCOMPTRAN, Vol. 3, CH-339, which does not supersede the collection of fees under FOIA.

(2) Subpart D of this part does not supersede fees chargeable under a statute specifically setting the level of fees for particular types of records. A “statute specifically providing for setting the level of fees for particular types of records” means any statute that enables a government agency, such as the Government Printing Office (GPO) or the National Technical Information Service (NTIS), to set and collect fees. Naval activities should 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 GPO or NTIS, inform requesters of the steps necessary to obtain records from those sources.

(c) *Resolution of fees.* The issue of fees should be resolved prior to a naval activity expending resources to process a FOIA request. Specifically, a requester should have an opportunity to decide whether or not to pursue a request if fees are applicable and the requester has failed to agree to pay those fees. There have been instances where naval activities have worked a costly request only to be told by the requester that it is no longer needed, since it will result in a cost. Additionally, if a requester has agreed to pay fees up to a specified amount and the costs of processing the request will exceed those fees, naval activities must resolve the issue of additional fees prior to continuing with the processing of the request.

(d) *Responses.* Naval activities shall ensure that final responses to the requester address FOIA fees.

EDITORIAL NOTE: At 56 FR 66592, Dec. 24, 1991, § 701.40 was revised. Paragraph (c) was inadvertently added twice. The duplicate designations are of differing content.