

Department of the Navy, DoD

§ 701.53

(c) *Retention of funds.* Naval activities shall retain fees received from releasing technical data. The funds shall be available for the same purpose and the same time period as the appropriation from which the costs were incurred in complying with the request. Reasonable costs are the full costs to the Government of rendering the service, or fair market value of the service, whichever is greater. Fair market value shall be determined by commercial rates in the local geographical area. In the absence of a known market value, charges shall be based on recovery of full costs to the Government. The full cost includes all direct and indirect costs to conduct the search and to duplicate records responsive to the request. This cost is different from the direct costs allowable under the FOIA.

(d) *Waiver.* Naval activities shall waive the payment of costs for technical data when greater than the costs required for release of this same information under FOIA, if:

(1) The request is made by a United States citizen or a United States corporation who certifies that the technical data requested is needed to submit an offer, or determine capability of submitting an offer. The technical data must relate to the product which will be provided to the United States or a contractor with the United States. However, naval activities may require the citizen or corporation to pay a deposit of not more than the cost of complying with the request, which will be refunded upon submission of an offer by the citizen or corporation;

(2) The release of technical data is requested to comply with an international agreement; or,

(3) The naval activity determines that waiver is in the interest of the United States.

(e) *Fee rates.* (1) Search time is computed as follows:

(i) Manual Search.

Type	Grade	Hourly Rate
Clerical .....	E9/GS8 and below .....	\$13.25
(Minimum Charge) ..	.....	8.30

Professional and Executive hourly rate of fees are established at actual hourly rate prior to search. A minimum

charge will be established at 1/2-hourly rates.

(ii) Computer search is the total cost of the central processing unit, input-output devices, and memory capacity of the actual computer configuration. The wage for the computer analyst/operator determining how to conduct and subsequently executing the search will be recorded as part of the computer search and is at the same rate of the manual search scale.

(2) Duplication costs are as follows:

Type	Cost
Aerial photographs, specifications, permits, charts, blueprints, and other technical documents .....	\$2.50 each
Engineering data (microfilm): .....	
Aperture cards: .....	
Silver duplicate negative .....	\$.75 per card
(When keypunched and verified) .....	.85 per card
Diaz duplicate negative .....	.65 per card
(When keypunched and verified) .....	.75 per card
35mm roll film .....	\$.50 per frame
16mm roll film .....	.45 per frame
Paper prints (engineering drawings) .....	\$1.50 each
Paper reprints of microfilm indices .....	.10 each

(3) Review time is computed as follows:

Type	Grade	Hourly Rate
Clerical .....	E9/GS8 and below .....	\$13.25
(Minimum Charge) ..	.....	8.30

Professional and Executive hourly rate of fees are established at actual hourly rate prior to review. A minimum charge will be established at 1/2-hourly rates.

**§ 701.53 Other technical data records.**

Charges for services not specifically provided above are at the following rates:

Type	Cost
Minimum charge for office copy (up to six images) .....	\$3.50
Each additional image .....	.10
Each typewritten page .....	3.50
Certification and validation with seal .....	5.20
Hand-drawn plots and sketches, each hour or fraction thereof .....	12.00