

## Department of the Air Force, DoD

## § 812.3

- 812.2 Responsibilities assigned.
- 812.3 Non-user charge transactions.
- 812.4 Waived or reduced charges.
- 812.5 User charge exclusions.
- 812.6 Charges for special services.
- 812.7 Charges for lease or sale of property.
- 812.8 Processing collections.
- 812.9 Accounting and control.
- 812.10 Conflicts or recommendations.

### Subpart B—Specialized or Technical Services Provided to State and Local Government

- 812.11 Air Force policy.
- 812.12 Explanation of terms.
- 812.13 Background.
- 812.14 Types of services.
- 812.15 Conditions under which services may be provided.
- 812.16 Processing payments.
- 812.17 Questionable services.

AUTHORITY: Sec. 8012, 70A Stat. 488; 10 U.S.C. 8012.

SOURCE: 49 FR 21527, May 22, 1984, unless otherwise noted.

NOTE: This part is derived from Air Force Regulation 117-8, 1 June 1983.

Part 806 of this chapter states the basic policies and instructions governing the disclosure of records and tells members of the public what they must do to inspect or obtain copies of the material referenced herein.

### Subpart A—General Information

#### § 812.0 Purpose.

This part prescribes general policy for developing an equitable and uniform system of charges for special services and for selling or leasing property to persons or organizations outside DOD and outside the Federal Government; states the scope of user charges activities; furnishes guidelines and requirements for determining amounts of user charges, disposing of receipts, and accounting control of revenue from such charges. It implements DOD Instruction 7230.7, 15 August 1978, and DOD Instruction 7730.53, 23 December 1982. This part applies to all Air Force activities providing special benefits to non-DOD and non-Government recipients.

#### § 812.1 Policy.

Air Force activities should not compete with available commercial facilities in providing special benefits or in selling or leasing property to recipients

outside DOD or outside the Federal Government. However, impose a reasonable charge when authorized special benefits are provided that:

(a) Enable the recipient to obtain more immediate or substantial gain or values (which may or may not be measurable in monetary terms) than those accruing to the general public, or

(b) Are performed at the request of the recipient and are above and beyond the services regularly received by or available without charge to the general public.

#### § 812.2 Responsibilities assigned.

Responsibility for initiating and developing schedules of charges and fees consistent with the policies in this part rests with:

(a) HQ USAF for common types of assistance furnished on a department-wide basis (these schedules are in Air Force functional area directives).

(b) Major commands for types of assistance peculiar to their respective commands.

(c) Each activity concern for items or types of assistance furnished for which standard fees are not prescribed by higher authority. Each activity:

(1) Identifies the benefits or services covered by this part.

(2) Determines the extent of the special benefits provided.

(3) Determines cost or fair market value.

(4) Establishes the charges.

#### § 812.3 Non-user charge transactions.

The provisions of this part do not cover or apply to the areas listed below. This does not necessarily mean charges are not made in these areas but, if made, they are determined under the provisions of other Air Force directives and are not considered user charges. Charges for services furnished non-Government audiovisual media, for example, are made under AFR 190-16. Similarly, charges for Armed Forces participation in public events are governed by AFR 190-5, Field Press Censorship. Additional non-user charge areas include:

(a) Morale, welfare, and recreation services to military personnel and civilian employees.

#### § 812.4

(b) Sale or disposal of surplus property under approved programs.

(c) Services furnished the general public relating to or furthering the Air Force recruiting program.

(d) Any services furnished representatives of public information media or the general public in the interest of public understanding of the Air Force.

(e) Any records made available to the public under the Freedom of Information Act.

(f) Any requests for release of Air Force-developed computer programs to non-Government customers.

(g) Foreign military sales of materiel and services.

#### **§ 812.4 Waived or reduced charges.**

In general, charges may be waived or reduced when:

(a) Payment of the full cost or fee by a State or local government or by a nonprofit group would not be in the interest of the program. See subpart B for types of services and conditions under which services may be provided.

(b) Furnishing the service without charge is an appropriate courtesy to a foreign country or international organization, or comparable fees are set on a reciprocal basis with a foreign country.

(c) The incremental cost of collecting the fees would be an unduly large part of the receipts from the activity.

#### **§ 812.5 User charge exclusions.**

Although of a user charge nature, the following are considered exempt from the requirement to assess a charge. The list is not all-inclusive. Refer recommendations for additional exclusions to the office of primary responsibility (OPR) for this directive.

(a) Any services requested by members of the armed forces when the document or information requested is required by such personnel in their capacity as members of the armed forces of the United States.

(b) Any services requested by members of the armed forces who are in a casualty status, or by their next-of-kin or legal representative, and requests for information from any source relating to a casualty.

(c) The address of record of an active duty member or former member of the

#### 32 CFR Ch. VII (7-1-98 Edition)

armed forces, when it can be furnished informally through local directory (locator) reference, when requested by a member of the armed forces, a relative, or legal representative of a member of the armed forces, or the address of record requested by any source, when the address is required for the purpose of paying monies or forwarding property to a member or former member of the armed forces.

(d) Any services requested by or on behalf of a member or former member of the armed forces or, if deceased, their next of kin or legal representative pertaining to requests for:

(1) Information required to obtain financial benefits regardless of the terms of separation from the service;

(2) Document showing membership and military record in the armed forces if discharged or release was under honorable conditions except as provided in § 812.5(d)(1) and (4);

(3) Information relating to a decoration or award or information required for memorialization purposes;

(4) Review or change in type of discharge or correction of records;

(5) Personal documents, for example, birth certificates, when such documents were required to be furnished by the individual.

(e) Services which are furnished free in accordance with statutes or executive orders.

(f) Information from or copies of medical and dental records and/or X-ray films of patients or former patients of military medical or dental facilities, when such information is required and requests for such data are submitted by an accredited medical facility, physician or dentist, or requested by the patient, next of kind, or legal representative.

(g) Any services involving confirmation of employment, disciplinary or other records, salaries of active or separated civilian or military personnel when requested by prospective employers, or recognized sources of inquiry for credit or financial purposes.

(h) Any services requested by and furnished to a member of Congress for official use.

(i) Any services requested by State, territorial, county, or municipal government, or an agency thereof, which