

§ 238.8

32 CFR Ch. I (7–1–99 Edition)

DoD Component or element, when approved by the Assistant Secretary of Defense (Public Affairs) or the Commander of an overseas Unified or Specified Command, as appropriate.

(6) Direct support of recruiting and personnel procurement activity, when the cost of such support is charged to recruiting or personnel procurement programs funds.

(c) DoD support of community relations programs that are not authorized in paragraph (b) of this section shall be at no additional cost to the Government.

(d) To adhere to congressional funding limitations, due care must be exercised in the identification of costs of community relations programs. Programming, budgeting, and financing policies are set forth in part 237 of this title. In general, for purposes of the limitations, the incremental cost of any resource incurred solely for community relations purposes must be identified as a public affairs cost; and costs incurred by a DoD Component in connection with its support of a community relations program, which would not be incurred but for their public affairs aspects, must be identified as public affairs costs. Effective management of a community relations program may require full costing (total direct and indirect costs) of the use of resources when their use benefits or is caused by the program. This information shall be provided to management officials and the OASD(PA) on an "as required" basis.

(e) When routine training flights are used as opportune airlift to transport military personnel, no reimbursement to the providing Component is required. When Military Airlift Command industrially funded transportation facilities are used, the industrial fund must be reimbursed, in accordance with DoD Directive 7410.4,¹ "Regulations Governing Industrial Fund Operations," September 25, 1972.

§ 238.8 Responsibilities and authorities.

(a) Requests for DoD support of community relations programs shall, ex-

cept as otherwise specified in this Instruction, be evaluated and approved or disapproved at the lowest practicable echelon or command (see § 238.5(a)(2)).

(b) The *Assistant Secretary of Defense (Public Affairs)* is the sole authority for granting any exception to the policy contained in part 237 of this title and in this part.

(1) The ASD(PA) is the sole authority for approving all DoD support of community relations programs in the National Capital area (see § 238.11 and § 238.13), except speaking engagements (see § 238.12), and for DoD support of the following programs outside that area:

(2) National and international programs, including national conventions and meetings (except those programs taking place in overseas areas which are solely of internal concern to a Unified or Specified Commander); see §§ 238.11, 13, 14, 15, 16, and 18.

(3) Programs outside the 50 United States which are not within a Unified or Specified Command's area of responsibility.

(4) Programs where the officially designated flight and parachute demonstration teams (Golden Knights, Blue Angels, Thunderbirds) perform, in accordance with § 238.10.

(5) Programs held on a military installation involving an aerial review of more than one Military Service, and programs involving any aerial review, flyover, or aircraft demonstration held elsewhere within the United States or as outlined in paragraph (b)(2) of this section (except for flyovers for civic-sponsored observances of and official ceremonies for Armed Forces Day, Memorial Day, Independence Day and Veterans Day, authorized by the Secretaries of the Military Departments), in accordance with § 238.10.

(6) Programs that require acting as the sole point of official contact within the Department of Defense for liaison between the Department of Defense and the headquarters and Washington offices of national organizations and other national non-Government groups, except for those organizations representing a specific interest of a single Military Service, e.g., Association of the U.S. Army, Air Force Association, Navy League, Marine Corps

¹ See footnote 1 to § 238.4(d).

League, etc. (see paragraph (d) of this section).

(7) Programs that provide information to national organizations, including business and industry groups, and call for approving support of the activities of such organizations and groups, in accordance with §238.13. (See part 237a of this title.)

(c) The *Unified and Specified Commanders*, except as specified in §238.8(b), have been and are designated to act for and in behalf of the Secretary of Defense in implementing the provisions of part 237 of this title and this part in their overseas area of responsibility (excluding the States of Hawaii and Alaska).

(d) The *Secretaries of the Military Departments*, except as specified in paragraph (b) of this section, are authorized to approve requests for DoD support of community relations programs, and to:

(1) Approve the unofficial use of the official insignia of their Departments, except where such use is prohibited by law.

(2) Conduct direct communication and liaison with organizations representing specific interests of their respective Military Departments. Military Departments which maintain liaison with such organizations are required to carry on their activities in accordance with the letter and the spirit of policies set forth in parts 237, 91, and 40 of this title, (respectively). ASD(PA) shall be responsible for monitoring the liaison activities between Military Departments and these organizations.

(3) Delegate to local major unit commanders authority to support local programs jointly planned and conducted by border communities in California, Arizona, New Mexico, and Texas, with their counterparts in Mexico.

(i) Local programs are defined as those which center on and are of primary interest in a U.S. or Mexican border community.

(ii) Favorable determinations shall be based on the significance of the program, defense interest, advance consultation, and approval of appropriate U.S. consular officials, coordination with other Federal agencies, as re-

quired, and the concurrence of municipal authorities involved.

(e) The *Head of the Interservice Sports Committee* shall act for the ASD(PA) in all matters pertaining to interservice competition and joint military Service participation in national and international sports. See §238.17.

(f) The *Assistant Secretary of Defense (International Security Affairs)* (ASD(ISA)) shall coordinate DoD support of foreign disaster relief operations, in accordance with §238.19.

(g) The *Assistant Secretary of Defense (Manpower, Reserve Affairs, and Logistics)* shall be responsible for certain miscellaneous public affairs-related activities, as specified in §238.19.

§ 238.9 Information requirements.

(a) Records will be maintained and required reports furnished in accordance with §237.6 of this title.

(b) The additional reporting requirement specified in §238.11 has been assigned Report Control Symbol DDPA(M) 979.

§ 238.10 Armed Forces aerial demonstrations.

(a) *Purpose.* (1) This part relates to Armed Forces aerial demonstrations in support of community relations programs, including flight team demonstrations, parachute team demonstrations, flyovers, aerial reviews, static displays and other aerial activities.

(2) Attached to this enclosure is the approved DoD "Request for Aerial Demonstration" format.

(b) *Definitions.* As used herein, the following definitions apply:

(1) *Aerial event.* Any occasion such as an air show, festival, official Federal Government function, or official military and civic functions held on a military installation or elsewhere where an Armed Forces aerial demonstration is either a primary or incidental attraction.

(2) *Aerial demonstration.* The use or display of DoD military aircraft or personnel in any aerial event, including the following:

(i) *Flight team demonstration.* An exhibition of precision aerial maneuvers and techniques flown by an officially