

§ 258.4

(2) Coordinate exploratory, advanced and engineering development plans to minimize wasteful duplication.

(3) Participate in joint development programs for major systems meeting harmonized requirements, whenever such programs meet the objectives and criteria listed in this part.

(4) Consistent with OSD guidance, consider promising foreign as well as U.S. R&D resources prior to placing research and development contracts.

(5) Facilitate availability of U.S. R&D resources to foreign procurement agencies, on terms similar to those governing availability of these resources to U.S. agencies.

(c) Necessary release of classified information will be in accordance with the provisions of the National Disclosure Policies.

§ 258.4 Criteria.

(a) The general criteria for such cooperation will be:

(1) Except for MAP "grant-aid countries," no appropriations available to the DoD will be used to finance the foreign research and development effort unless the program is aimed at satisfying a United States military need.

(2) Except for MAP "grant-aid countries," cooperative R&D programs will be funded by Service RDT&E funds.

(3) U.S. participation in jointly funded development programs will not be approved unless the United States receives design and production rights equivalent to those secured from domestic sources.

(b) International balance-of-payments considerations have resulted in the establishment of certain specific restrictions pertinent to DoD overseas activities, including those relating to foreign R&D. The screening and selection of proposed R&D projects must be consistent with these restrictions. In this connection, preference should be given to the following types of joint R&D undertakings:

(1) Projects that provide for the investment of foreign funds in U.S. R&D activities under mutually acceptable terms and conditions.

(2) Projects that offer the U.S. good prospects for the ultimate sale of the end item or associated components to second and third foreign parties.

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(3) Projects that capitalize on the unique technical state-of-the-art capabilities existing in a foreign country and offer prospects of saving the U.S. time and money in the R&D and production field.

(4) Projects that enable the United States to assist and/or accommodate a foreign second party to accomplish joint R&D objectives without jeopardizing U.S. aspirations to promote future U.S. sales to third countries.

§ 258.5 Procedures.

Procedures for accomplishing and administering the cooperative programs and projects will be integrated into DoD management systems so that decisions concerning national and international programs will be made by the same individuals.

§ 258.6 Responsibilities and authorities.

(a) The Military Departments are charged with the primary responsibility for implementing this part.

(b) The Director of Defense Research and Engineering will be responsible for monitoring the implementation of this part. He will:

(1) Negotiate basic policy agreements with foreign Ministries of Defense as appropriate.

(2) Consult with the Joint Chiefs of Staff on the interaction of research and development and strategic doctrines.

(3) Seek formal statements of military operational requirements from the Military Departments or the JCS, as appropriate, for research and development projects and equipment areas which require such statements.

(4) Recommend to the Secretary of Defense policy guidance and appropriate instructions for the Military Departments to assure consistency of their actions and conformity with National Policy.

(5) Continually review progress made towards the objectives of this part.

(6) Request policy guidance and support from Assistance Secretaries of Defense (ISA) (I&L) (Comp), and the General Counsel on matters within their respective fields of responsibility.

(c) The Defense Advisor U.S. Mission to the North Atlantic Treaty Organization will assist the Director of Defense