

§ 380.5

(l) Serve on boards, committees, and other groups pertaining to assigned OT&E, and represent the Secretary of Defense on OT&E matters outside the Department of Defense.

(m) Execute such other related responsibilities as the Secretary of Defense may prescribe.

§ 380.5 Functions.

The Director, OT&E, shall carry out the responsibilities described in § 380.4, above, for all aspects of OT&E, to include the following functions:

(a) OT&E programs of the DoD Components, to include their operational test facilities and resources and the coordination of Military Service OT&E activities.

(b) JOT&E programs and Joint Military Service operational testing.

(c) Analysis of OT&E results on all major defense acquisition programs.

(d) Review of budget submissions to determine the adequacy of OT&E funding.

(e) Approval of OT&E sections of the DoD Test and Evaluation Master Plan (TEMP) for major defense acquisition programs.

(f) Review of new major system requirements documents, system concept papers, decision coordinating papers and, if appropriate, integrated program summaries for OT&E implications.

(g) Enhancement of operational test realism.

(h) Development and administration of an OT&E data base.

§ 380.6 Relationships.

(a) In the performance of assigned functions, the Director, OT&E, shall:

(1) Report directly to the Secretary and Deputy Secretary of Defense without intervening review or approval.

(2) Provide guidance to and consult with the Secretary and Deputy Secretary of Defense and the Secretaries of the Military Departments with respect to OT&E in the Department of Defense in general and with respect to specific OT&E activities to be conducted in connection with major defense acquisition programs.

(3) Coordinate and exchange information with officials of DoD Components exercising collateral or related functions. In particular, the Director,

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OT&E, shall consult closely with, but be independent of, the Under Secretary of Defense for Research and Engineering.

(4) Use existing facilities and services of the Department of Defense or other federal agencies, and allied countries whenever practicable, to avoid duplication and to achieve maximum realism.

(5) Serve as a permanent member of the Defense Systems Acquisition Review Council and the Defense Resources Board for the purpose of carrying out the principles and policies of DoD Directive 5000.1 and DoD Instruction 5000.2 and DoD Directives System issuances pertaining to test and evaluation activities.

(b) Other OSD officials and heads of DoD Components shall coordinate on all OT&E matters as prescribed herein.

(c) The Secretaries of the Military Departments shall report promptly to the Director, OT&E, the results of all OT&E conducted by the Military Departments and on all studies conducted by the Military Departments in connection with their OT&E activities.

§ 380.7 Authorities.

The Director, OT&E, is hereby delegated authority to:

(a) Issue DoD Instructions, DoD publications, and one-time directive-type memoranda, consistent with DoD Directive 5025.1-M that implement policies approved by the Secretary of Defense in order to carry out the functions assigned to the Director, OT&E. Instructions to the Military Departments shall be issued through the Secretaries of those Departments or their designees. Instructions to Unified and Specified Commands shall be issued through the JCS.

(b) Obtain reports, information, advice, and assistance, consistent with DoD Directive 5000.19 as necessary in carrying out assigned functions. Have access to all records and data in the DoD (including those of each DoD Component) that the Director, OT&E, considers necessary to review in order to carry out assigned functions.

(c) Act as prior approval authority for OT&E section of the TEMPS and for OT&E funding for each major defense acquisition program. Operational testing of a major defense acquisition

program may not be conducted until the Director, OT&E, has approved in writing the adequacy of the plans, including the adequacy of projected levels of funding and resources for OT&E to be conducted in connection with that program.

(d) Require, as the Director, OT&E, determines necessary, that observers designated by the Director, OT&E, be present during the preparation for and the conduct of the test part of any OT&E conducted by DoD Components.

(e) Monitor and review all OT&E conducted in the Department of Defense and analyze the results of OT&E conducted for each major defense acquisition program.

(1) The Director, OT&E, shall submit a report to the Secretary of Defense and to the Committees on Armed Services and on Appropriations of the Senate and House of Representatives that addresses specifically:

(i) The adequacy of the test and evaluation performed; and

(ii) Whether the results confirm the effectiveness and combat suitability of the items or components actually tested.

(2) Copies of the report will be provided to appropriate DoD officials and Components to facilitate the development of comments by the Secretary of Defense.

(3) A final decision to proceed with a major defense acquisition program beyond low rate initial production may not be made until the report has been submitted to the Secretary of Defense and received by the Armed Services and Appropriations Committees.

(f) Prepare an annual report for the Secretary of Defense and the Congress by January 15 of each year summarizing the OT&E activities of the Department of Defense during the preceding fiscal year.

(1) The report shall include such comments and recommendations as the Director, OT&E, considers appropriate, including comments and recommendations on resources and facilities available for OT&E and levels of funding made available for OT&E activities.

(2) Copies of this report shall be provided to appropriate DoD officials and Components to facilitate comments by the Secretary of Defense, if desired.

(g) Communicate directly with the heads of DoD Components. Communications to commanders of the Unified and Specified Commands shall be coordinated with the JCS.

(h) Arrange for DoD participation in nondefense governmental programs for which the Director, OT&E, is assigned primary DoD cognizance.

(i) Communicate with other government agencies, representatives of the Legislative Branch, and members of the public, as appropriate, in carrying out assigned functions.

PART 381—DEFENSE NUCLEAR AGENCY

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APPENDIX TO PART 381—DELEGATIONS OF AUTHORITY

AUTHORITY: 10 U.S.C. chapter 8.

SOURCE: 56 FR 6274, Feb. 15, 1991, unless otherwise noted.

§ 381.1 Purpose.

This part updates the responsibilities, functions, relationships, and authorities, as prescribed herein.

§ 381.2 Mission.

(a) The Defense Nuclear Agency (DNA) shall provide support to the Office of the Secretary of Defense (OSD); the Military Departments; the Chairman, Joint Chiefs of Staff and Joint Staff; the Unified and Specified Commands; the Defense Agencies; and the DoD Field Activities (hereafter referred to collectively as "DoD Components"); and other Federal Agencies on matters concerning nuclear weapons, nuclear weapons system acquisitions, nuclear weapons effects on weapons systems and forces, and nuclear weapons safety and security.

(b) During wartime and international crises, in accordance with national priorities and, as directed by the Director, Defense Research and Engineering (DDR&E), the DNA shall redirect its resources to support the Chairman,