

Office of the Secretary of Defense

§ 382.3

SOURCE: 55 FR 49888, Dec. 3, 1990, unless otherwise noted.

§ 382.1 Purpose.

This part, pursuant to 10 U.S.C., assigns responsibilities, functions, relationships, and authorities as prescribed herein, to the Under Secretary of Defense (Acquisition) (USD(A)). This part also strengthens the ability of the USD(A) to improve the efficiency and effectiveness of DoD acquisition.

§ 382.2 Definitions.

(a) *Department of Defense Acquisition System.* A single uniform system whereby all equipment, facilities, and services are planned, designed, developed, acquired, maintained, and disposed of within the Department of Defense. The system encompasses establishing and enforcing policies and practices that govern acquisitions, to include documenting mission needs and establishing performance goals and baselines; determining and prioritizing resource requirements for acquisition programs; planning and executing acquisition programs; directing and controlling the acquisition review process; developing and assessing logistics implications; contracting; monitoring the execution status of approved programs; and reporting to Congress.

(b) *DoD Components.* The Office of the Secretary of Defense (OSD); the Military Departments; the Joint Chiefs of Staff (JCS); the Joint Staff; the Unified and Specified Commands; the Office of the Inspector General, Department of Defense (OIG, DoD); the Defense Agencies, to include the Strategic Defense Initiative Organization (SDIO); and DoD Field Activities.

§ 382.3 Responsibilities.

The Under Secretary of Defense for Acquisition (USD(A)) is the principal staff assistant and advisor to the Secretary of Defense for all matters relating to the DoD Acquisition System; research and development; production; logistics; command, control, communications, and intelligence activities related to acquisition; military construction; and procurement.

(a) The USD(A) shall:

(1) Serve as the Defense Acquisition Executive (DAE) with full responsi-

bility for supervising the performance of the DoD Acquisition System and enforcing the policies and practices contained in DoD Directive 5000.1,¹ DoD Instruction 5000.2,² OMB Circular No. A-109.³

(2) Chair the Defense Acquisition Board (DAB), supported by an integrated structure of acquisition-related committees, and, pursuant to § 382.5(c) of this part, serve as signatory authority on Acquisition Decision Memoranda documenting Milestone reviews by the DAB.

(3) Serve as the DoD Procurement Executive, with responsibilities as prescribed in E.O. 12352 of March 17, 1982 (3 CFR, 1982 Comp., p. 137) and 41 U.S.C. 401-424.

(4) Chair the DoD Ethics Council, with responsibilities as prescribed in DoD Directive 5120.47⁴.

(5) Serve as the National Armaments Director and Secretary of Defense representative to the Four Power Conference.

(6) Establish and publish policies and procedures governing the operations of the DoD Acquisition System and the administrative oversight of defense contractors.

(7) Prescribe policies, in coordination with the IG, DoD, and the Comptroller of the Department of Defense (C, DoD), to ensure that audit and oversight of contractor activities are coordinated and carried out in a manner to prevent duplication by different elements of the Department. The exercise of this responsibility shall not affect the authority of the IG under the Inspector General Act of 1978.

(8) Coordinate research and development programs DoD-wide to eliminate duplication of effort and ensure that available resources are used to maximum advantage.

¹Copies may be obtained, at cost, National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161.

²See footnote 1 to § 382.3(a)(1).

³Copies may be obtained by written request to: EOP Publications, 725 Seventeenth Street NW., Washington, DC 20503.

⁴See footnote 1 to § 382.3(a)(1).