

(c) The *Chairman, Joint Chiefs of Staff* (CJCS), under the authority and direction of the Secretary of Defense, shall:

(1) Provide advice and recommendations to the USD(A) regarding the mission, functions, and responsibilities of DLA.

(2) Provide advice on matters pertaining to the policies, planning, design, maintenance, testing, and evaluation of logistics systems.

(3) Obtain advice and recommendations from the USD(A) and from the Director, DLA, on matters within the areas of responsibility assigned to DLA.

(4) Review DLA planning and programming documents, assess their responsiveness to operational requirements, and provide direction to the Director, DLA.

(5) Periodically submit (not less than every 2 years) to the Secretary of Defense a report with respect to DLA's responsiveness and readiness to support operating forces in the event of war or threat to national security and other recommendations that the Chairman deems appropriate.

(6) Provide for the participation of DLA in joint training exercises and assess performance.

(7) Provide tasking related to defense readiness to the Director, DLA.

(8) Develop and submit JCS logistics requirements and priorities to the Director, DLA.

(d) The *Commander of a Unified Command* is authorized to, and as appropriate shall:

(1) Following approval from the Director, DLA, or the CJCS, and within the Commander's geographic area, direct DLA elements to ensure effective operations.

(2) In a major emergency, assume temporary operational control of all DLA elements in the Commander's area of responsibility, with notification immediately following to the CJCS, the appropriate operational commander, and the Director, DLA.

(e) *Commanders of Component Commands* shall:

(1) Exercise such responsibilities and authorities pertinent to DLA elements as may be assigned or delegated to them by the Commander of their Unified Command.

(2) Provide for the physical security and administrative and logistic support of DLA elements as agreed to by DLA and Component Commands concerned under inter-Service support agreements.

(f) Within their areas of responsibility, the CJCS, the CINCs, the Secretaries of the Military Departments, and the heads of other DoD Components shall provide to the Director, DLA, support and logistical planning information, including information on funding shortfalls that impact the responsibilities and functions assigned to DLA.

#### §398.5 Authority.

The Director, DLA, is specifically delegated authority to:

(a) Meet the needs of the Military Departments and other authorized customers by conducting, directing, supervising, or controlling all procurement activities regarding property, supplies, and services assigned to DLA for procurement in accordance with applicable laws, DoD Regulations, the FAR and the DFARS. To the extent that any law or Executive order specifically limits the exercise of such authority to persons at the Secretarial level, such authority shall be exercised by the USD(A).

(b) Prescribe procedures, standards, and practices for the Department of Defense governing the execution of assigned responsibilities and functions.

(c) Obtain such reports, information, advice, and assistance from other DoD Components consistent with the policies and criteria of DoD Directive 7750.5<sup>1</sup> as may be necessary for the performance of assigned functions and responsibilities.

(d) Establish new DLA facilities or recommend to the USD(A) the reassignment to DLA or use of existing facilities of the Military Departments by DLA, as deemed necessary for improved effectiveness and economy.

(e) Provide membership on the Defense Acquisition Regulatory Council (DAR Council), participate with the

<sup>1</sup>Copies may be obtained, at cost, from the National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161.

Secretaries of the Military Departments and Federal Agencies in developing and publishing the FAR and participate with the Secretaries of the Military Departments in developing and publishing the DFARS.

(f) Exercise the administrative authorities contained in the appendix B to this part.

[54 FR 2101, Jan. 19, 1989. Redesignated and amended at 58 FR 39360, July 22, 1993]

### § 398.6 Relationships.

(a) In performing assigned functions, the Director, DLA, shall:

(1) Have free and direct access to, and communicate with, all elements of the Department of Defense and other Executive Departments and Agencies, as necessary.

(2) Maintain appropriate liaison with other DoD Components, Agencies of the Executive branch, foreign governments, and international organizations for the exchange of information on programs and activities in the field of assigned responsibilities.

(3) Maintain close working relationships with weapon systems managers of the Military Departments to ensure integration of effort and exchange of technical programs and reference data.

(4) Use established facilities and services of the Department of Defense and other Federal Agencies, whenever practicable, to avoid duplication and to achieve an appropriate balance among modernization, readiness, sustain ability, efficiency, and economy.

### § 398.7 Administration.

(a) The Director shall be an active duty, commissioned officer of General or Flag rank, appointed by the Secretary of Defense based on the recommendation of the CJCS as approved by the USD(A).

(b) The Deputy Director shall be an active duty, commissioned officer of General or Flag rank, approved by the USD(A) based on the recommendation of the CJCS and Director, DLA.

(c) DLA shall be authorized such personnel, facilities, funds, and other administrative support as the Secretary of Defense deems necessary.

(d) The Military Departments shall assign military personnel to DLA in

accordance with approved authorizations and procedures for assignment to joint duty.

(e) Programming, budgeting, funding, auditing, accounting, pricing, and reporting activities of DLA shall be in accordance with established DoD policy and procedures. DLA shall use appropriated funds to finance the operating costs of the Agency; a stock fund to finance all inventories procured for resale; a transaction fund to finance the purchase of needed stockpile materials; and, when appropriate, an industrial fund for financing industrial-commercial type operations.

#### APPENDIX A TO PART 398—ASSIGNED DoD PROGRAMS AND/OR SYSTEMS

The following DoD programs and/or systems or aspects of these programs and/or systems are assigned to DLA to administer, manage, and/or operate:

- DoD Coordinated Procurement
- Federal Catalog System
- DoD Industrial Plant Equipment
- Operating Military Parts Control Advisory Groups for Standardization of Parts at the System Equipment Design Stage
- Defense Automatic Addressing System
- Defense Precious Metals Recovery
- Assigned Aspects of DoD Food Service Management
- Defense Procurement Management Review
- Defense Energy Information System
- Centralized Referral System
- Overseas Employment Referral
- Automation Resources Management System
- Depot Maintenance and Maintenance Support Cost Accounting and Production Reporting and Information System
- DoD Shelf-life Item Management
- DoD Scientific and Technical Information
- DoD Information Analysis Center
- DoD Hazardous Materials Information System
- Hazardous Material Technology Development
- DoD-wide Interchangeability and/or Substitutability
- DoD Personal Property Utilization and Disposal
- DoD Industrial Resources Management
- Integrated Material Manager for Bulk Petroleum
- DoD Specification Standardization
- National Defense Stockpile Program