

7750.⁵¹ 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 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

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

- 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

APPENDIX B TO PART 398—DELEGATIONS
OF AUTHORITY

Pursuant to the authority vested in the Secretary of Defense, and subject to the direction, authority, and control of the Secretary of Defense, and in accordance with DoD Policies, Directives, and Instructions, the Director, DLA, or in the absence of the Director, the person acting for the Director, is hereby delegated authority as required in the administration and operation of DLA to:

1. Exercise the powers vested in the Secretary of Defense by 5 U.S.C. 301, 302(b), and 3101 pertaining to the employment, direction and general administration of DLA civilian personnel.

2. Fix rates of pay for wage-rate employees exempted from the Classification Act of 1949 by 5 U.S.C. 5102 on the basis of rates established under the Combined Federal Wage System. In fixing such rates, the Director, DLA, shall follow the wage schedule established by the DoD Wage Fixing Authority.

3. Establish advisory committees and employ part-time advisors as approved by the Secretary of Defense for the Performance of DLA functions pursuant to the provisions of 10 U.S.C. 173, 5 U.S.C. 3109(b), and the agreement between the Department of Defense and the Office of Personnel Management (OPM) on employment of experts and consultants, dated June 21, 1977.

4. Administer oaths of office incident to entrance into the Executive Branch of the Federal Government or any other oath required by law in connection with employment therein, in accordance with the provisions of 5 U.S.C. 2903, and designate in writing, as may be necessary, officers and employees of DLA to perform this function.

5. Establish a DLA Incentive Awards Board and pay cash awards to, and incur necessary expenses for the honorary recognition of, civilian employees of the Government whose suggestions, inventions, superior accomplishments, or other personal efforts, including special acts or services, benefit or affect DLA or its subordinate activities, in accordance with the provisions of 5 U.S.C. 4503 and OPM regulations.

6. In accordance with the provisions of 5 U.S.C. 7532; Executive Orders 10450, 12333, and 12356; and DoD Directive 5200.2, "DoD Per-

sonnel Security Program," December 20, 1979:

a. Designate the security sensitivity of positions within DLA.

b. Authorize, in case of an emergency, the appointment of a person to a sensitive position in DLA for a limited period of time for whom a full field investigation or other appropriate investigation, including the National Agency Check, has not been completed.

c. Authorize the suspension, but not terminate the services of a DLA employee in the interest of national security.

d. Initiate investigations, issue personnel security clearances and, if necessary, in the interest of national security, suspend, revoke, or deny a security clearance for personnel assigned or detailed to, or employed by DLA. Any action to deny or revoke a security clearance shall be taken in accordance with procedures prescribed in DoD 5200.2-R, "DoD Personnel Security Program," January 1987.

7. Act as agent for the collection and payment of employment taxes imposed by chapter 21 of the Internal Revenue Code of 1954, as amended; and, as such agent, make all determinations and certifications required or provided for under the Internal Revenue Code of 1954, as amended (26 U.S.C. 3122), and the Social Security Act, as amended (42 U.S.C. 405(p) (1) and (2)), with respect to DLA employees.

8. Authorize and approve overtime work for DLA civilian personnel in accordance with 5 U.S.C. chapter 55, subchapter V, and applicable OPM regulations.

9. Authorize and approve:

a. Travel for DLA civilian personnel in accordance with Joint Travel Regulations, Volume 2, "DoD Civilian Personnel."

b. Temporary duty travel for military personnel assigned or detailed to DLA in accordance with Joint Travel Regulations, Volume 1, "Members of Uniformed Services."

c. Invitational travel to persons serving without compensation whose consultative, advisory, or other highly specialized technical services are required in a capacity that is directly related to, or in connection with, DLA activities, pursuant to 5 U.S.C. 5703.

10. Approve the expenditure of funds available for travel by military personnel assigned or detailed to DLA for expenses regarding attendance at meetings of technical, scientific, professional, or other similar organizations in such instances when the approval of the Secretary of Defense, or designee, is required by law (37 U.S.C. 412 and 5 U.S.C. 4110 and 4111). This authority cannot be redelegated.

11. Develop, establish, and maintain an active and continuing Records Management Program, pursuant to 44 U.S.C. 3102 and DoD Directive 5015.2, "Records Management Program," September 17, 1980.

12. Establish and use imprest funds for making small purchases of material and services, other than personal services, for DLA when it is determined more advantageous and consistent with the best interests of the Government, in accordance with DoD Instruction 5100.71, "Delegation of Authority and Regulations Relating to Cash Held at Personal Risk Including Imprest Funds," March 5, 1973.

13. Authorize the publication of advertisements, notices, or proposals in newspapers, magazines, or other public periodicals as required for the effective administration and operation of DLA, consistent with 44 U.S.C. 3702.

14. Establish and maintain appropriate property accounts for DLA and appoint Boards of Survey, approve reports of survey, relieve personal liability, and drop accountability for DLA property contained in the authorized property accounts that has been lost, damaged, stolen, destroyed, or otherwise rendered unserviceable, in accordance with applicable laws and regulations.

15. Promulgate the necessary security regulations for the protection of property and places under the jurisdiction of the Director, DLA, pursuant to DoD Directive 5200.8, "Security of Military Installations and Resources," July 29, 1980.

16. Establish and maintain, for the functions assigned, a publications system for the promulgation of common supply and service regulations, instructions, and reference documents, and changes thereto, pursuant to the policies and procedures prescribed in DoD 5025.1-M, "Department of Defense Directives System Procedures," April 1981.

17. Enter into support and service agreements with the Military Departments, other DoD Components, Government Agencies, and foreign governments, as required for the effective performance of DLA functions and responsibilities.

18. Exercise the authority delegated to the Secretary of Defense by the Administrator of the General Services Administration (GSA) on the disposal of surplus personal property.

19. Exercise the authority and responsibility of the Secretary of Defense as delegated to the Director, DLA, for the National Industrial Equipment Reserve established by the National Industrial Equipment Reserve Act of 1948, as amended (50 U.S.C. 451 *et seq.*).

20. Designate an officer or employee of DLA to serve as the Competition Advocate of the Agency, pursuant to 10 U.S.C. 2318.

21. Maintain an official seal and attest to the authenticity of official DLA records under that seal.

The Director, DLA, may redelegate these authorities as appropriate, and in writing, except as otherwise specifically indicated above or as otherwise provided by law or regulation.

PART 399—DEFENSE MAPPING AGENCY (DMA)

Sec.

- 399.1 Purpose.
- 399.2 Mission.
- 399.3 Organization and management.
- 399.4 Responsibilities and functions.
- 399.5 Relationships.
- 399.6 Authority.
- 399.7 Administration.

APPENDIX TO PART 399—DELEGATIONS OF AUTHORITY

AUTHORITY: 10 U.S.C. 191-193.

SOURCE: 55 FR 52169, Dec. 20, 1990, unless otherwise noted. Redesignated at 58 FR 39360, July 22, 1993.

§ 399.1 Purpose.

Under the authority vested in the Secretary of Defense by title 10, United States Code, this part updates the responsibilities, functions, relationships, and authorities of the Defense Mapping Agency (DMA).

§ 399.2 Mission.

The DMA 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; and the Defense Agencies (hereafter referred to collectively as "DoD Components") and other Federal Government Departments and Agencies on matters concerning mapping, charting, and geodesy (MC&G).

§ 399.3 Organization and management.

The DMA is established as a Combat Support Agency of the Department of Defense and shall be under the direction, authority, and control of the Assistant Secretary of Defense for Command, Control, Communications, and Intelligence (ASD(C3I)). It shall consist of a Director and such subordinate organizational elements as are established by the Director within resources authorized by the Secretary of Defense.

§ 399.4 Responsibilities and functions.

The Director, Defense Mapping Agency (DMA), shall:

- (a) Organize, direct, and manage the DMA and all assigned resources.
- (b) Ensure responsive MC&G support to DoD Components.