

below provided the applicant meets academic admissions requirements.

(i) Active duty members of the Military Services who are stationed in Panama and family members living with them (unless authorized DoD-sponsored education under paragraph (c)(1) of this section.

(ii) U.S.-citizens employees of the Department of Defense and other U.S. Government agencies, including the Panama Canal Commission, and family members living with them (unless authorized DoD-sponsored education under paragraph (c)(1) of this section).

(iii) Host-nation or third-country citizen employees of the Panama Canal Commission or other U.S. Government agency, district dentists, religious workers, and family members living with them, when such persons were enrolled in a Canal Zone school on a tuition-free basis or under the sponsorship of the former Canal Zone Government/Panama Canal Company on September 30, 1979, as was then authorized for residents of the former Canal Zone.

(iv) Minor dependents of Canal Zone Government/Panama Canal Company host-nation or third-country citizen employees separated through reduction in force action and not reemployed by another U.S. Government agency, when such dependents were enrolled in the former Canal Zone school system on September 30, 1979.

(v) U.S. citizens not specifically addressed above who reside in the Republic of Panama.

(vi) Host-nation and third-country citizens not specifically addressed above who reside in the Republic of Panama when there is no objection from the government of Panama and when such inclusion does not displace or prevent inclusion of U.S. citizens seeking admission on the same basis at the same time.

PART 72—VOLUNTARY EDUCATION PROGRAMS IN OVERSEAS AREAS

Sec.

72.1 Purpose.

72.2 Applicability and scope.

72.3 Responsibilities.

72.4 Procedures.

72.5 Effective date and implementation.

AUTHORITY: Pub. L. 99-145, section 1212.

SOURCE: 53 FR 22648, June 17, 1988, unless otherwise noted.

§ 72.1 Purpose.

This part:

(a) Prescribes uniform procedures and assigns responsibilities for the Military Services to avoid the unnecessary duplication of postsecondary education offerings in overseas areas under Pub. L. 99-145, section 1212 and DoD Directive 1322.8.¹

(b) Under Pub. L. 145, section 1212:

(1) Reflects the statutory requirement, subject to the exceptions in § 72.1(b)(2) that no solicitation, contract, or agreement for off-duty postsecondary education services for military members, DoD civilian employees, or the dependents of such military members or employees, other than for services at the graduate or postgraduate level, may limit the offering of such services or any group, category, or level of courses to a single academic institution.

(2) Prescribes criteria for avoiding the unnecessary duplication of educational services by exercising the authority in Pub. L. 99-145 to grant exceptions, when required, to § 72.1(b)(1).

§ 72.2 Applicability and scope.

This part:

(a) Applies to the Office of the Secretary of Defense (OSD) and the Military Departments.

(b) Shall be extended to all persons seeking or receiving off-duty postsecondary education services, as described in § 72.1(b)(1).

§ 72.3 Responsibilities.

(a) *Each Overseas Theater Commander* shall implement this part and may:

(1) When necessary to avoid unnecessary duplication of offerings of postsecondary education services, authorize the issuance of solicitations and the execution of contracts and agreements that limit the provision of such offerings at one or more installations to one institution or a prescribed maximum number of institutions.

¹Copies may be obtained, if needed, from the U.S. Naval Publication and Forms Center, Attn: Code 1052, 5801 Tabor Avenue, Philadelphia, PA 19120.

(2) Delegate the authority in § 72.3(a)(1) but not below the level of a general or flag officer, or a civilian equivalent.

§ 72.4 Procedures.

(a) Under this part, “unnecessary duplication” means the provision of education services by two or more potential offerers which, because of such duplication, is determined to have an adverse effect on the provision of the education services provided in the theater concerned, consistent with ensuring the maximum availability of alternative offerers of such services.

(b) One or more of the following criteria must be satisfied to limit the number of providers of postsecondary education services:

(1) The demographic distribution of the potential student population prevents the effective delivery of postsecondary education services by multiple offerers.

(2) Adequate classroom and administrative space to meet education program needs is not available to multiple providers.

(3) DoD educational staff needed to manage education programs at the installation level are not available.

(4) The theater commander cannot provide reasonable logistic support to installations and persons employed in providing education programs if there are multiple providers. Logistic support includes supplies, services, facilities, transportation, privileges and other benefits provided to nongovernmental entities or individuals.

(c) Where necessary, the enrollments generated at large installations may be used to balance the enrollments at small or remote locations to provide for economies of scale and to ensure availability of the widest range of education services possible at reasonable tuition rates, consistent with § 72.4(a) of this part.

§ 72.5 Effective date and implementation.

This part is effective May 9, 1988. Forward one copy of implementing documents to the Assistant Secretary of Defense (Force Management and Personnel) within 120 days.

PART 73—TRAINING SIMULATORS AND DEVICES

Sec.

73.1 Purpose.

73.2 Applicability and scope.

73.3 Definitions.

73.4 Policy.

73.5 Responsibilities.

73.6 Procedures.

73.7 Effective date and implementation.

AUTHORITY: 5 U.S.C. 301 and 10 U.S.C. 133.

SOURCE: 51 FR 35512, Oct. 6, 1986, unless otherwise noted.

§ 73.1 Purpose.

This part: (a) Establishes training simulator and device development, acquisition, and utilization policy implementing Assistant Secretary of Defense memorandum dated October 5, 1984 in accordance with DoD Directive 5000.1,¹ DoD Instruction 500.2,¹ DoD Directive 5000.3,¹ DoD Directive 5000.39,¹ DoD Directive 5000.19,¹ DoD Instruction 7041.3,¹ DoD 7110.1-M, and Executive Order 12344.

(b) Provides guidance for establishing Service policy for training simulators and devices.

(c) Authorizes the Department of Defense to use training simulators and devices to make training systems more effective and to help maintain military readiness. Emphasizes the relationship between the system(s) supported and the training system and supports the requirements for coincident development and concurrency between the system(s) supported and the training system. A systematically developed training system with appropriate training simulators, devices, and embedded training capability cost-effectively provides training for any given weapon or support system. Properly used, such training simulators and devices facilitate: training that might be impractical or unsafe if done with actual systems or equipment; concentrated practice in selected normal and emergency actions; the training of operators and maintainers to diagnose and address possible equipment faults; enhanced

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