

(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

¹Copies may be obtained, if needed, from the U.S. Naval Publications and Forms Center, ATTN: Code 301, 5801 Tabor Avenue, Philadelphia, PA 19120.

proficiency despite shortages of equipment, space, ranges, or time; control of life-cycle training costs; and reducing systems required in maintenance training.

(d) Emphasizes that training simulators and devices are integral parts of an overall training system. Those training systems without training simulators or devices specifically are excluded from this part.

§ 73.2 Applicability and scope.

(a) This part applies to the Office of the Secretary of Defense (OSD) and the Military Departments, including their National Guard and Reserve components. The term “Military Services,” as used herein, refers to the Army, Navy, Air Force, Marine Corps, and the National Guard and Reserve components.

(b) This part shall not be construed to usurp management prerogatives or responsibilities of the Military Departments or their Guard or Reserve Components.

(c) For reporting purposes supporting acquisition review for training simulators or devices supporting a major system or comprising nonsystem training equipment, the dollar thresholds shall be those established in DoD 7110.1-M, part II.

(d) When the Secretary of Defense designates any training simulator or device as being of significant interest based on criteria other than cost, the Military Service concerned shall provide the documentation required by this part.

(e) The policies of this part shall be followed regardless of the cost of the training simulators or devices.

(f) In accordance with the responsibilities in E.O. 12344, the Department of Energy (DoE) has cognizance over the development of training systems and devices used in the training of naval nuclear propulsion plant operators. Such systems and devices are not covered by this Directive, but are coordinated separately with DoE.

§ 73.3 Definitions.

Embedded training. Training using operational equipment that involves simulating or stimulating of equipment performance.

Non-system training device. A training simulator or device not supporting a single, specific, parent defense system.

Training simulator and/or device. Hardware and software designed or modified exclusively for training purposes involving simulation or stimulation in its construction or operation to demonstrate or illustrate a concept or simulate an operational circumstance or environment. Under this part, training simulators and devices are considered part of an overall training system that may or may not be identified as part of a parent defense system. Under this part, the term training device shall apply to training simulators and devices.

Training system. A systematically developed curriculum including, but not necessarily limited to, courseware; classroom aids; training simulators and devices; operational equipment; embedded training capability; and personnel to operate, maintain, or employ a system. The training system includes all necessary elements of logistic support.

§ 73.4 Policy.

(a) *General.* (1) It is DoD policy to optimize the operational readiness of the total forces by effecting the development and acquisition of training devices, in accordance with DoD Directive 5000.1. The requirement for development and acquisition of training devices shall be based on a Military Service’s training requirements analysis process. The analysis shall define the training need, determine whether existing training devices shall satisfy the training requirement, and evaluate the benefits and tradeoffs of potential alternative training solutions. This process shall consider how recommended training devices shall function in the National Guard and Reserve environment and how they shall meet any unique National Guard and Reserve training needs.

(2) All training devices supporting and unique to a major system acquisition should be documented and reviewed with the parent major system. Major system training devices shall be identified in the acquisition process in the Integrated Program Summary

(IPS), in accordance with DoD Instruction 5000.2. Those training devices that are not included in a major system acquisition should be identified and justified in relation to a specific training program or course. The Military Services shall ensure that all development, procurement, operation, and support costs are programmed and funded.

(3) These policies do not imply that a training system, simulator, or device must be procured from the prime contractor for the defense system being supported.

(4) The acquisition of a training system that supports a new defense system or equipment shall be assigned the same priority as that of the parent system or equipment.

(5) Those training devices dedicated to defense systems or equipment should be available in time for the fielding of the parent system.

(6) These policies and the guidelines to implement them apply to acquisition funds from advanced development through procurement.

(7) Joint-Services acquisition of common training devices should be fully considered in *each* Military Service's training analysis and planning.

(b) *Development planning guidelines.*

(1) Once a training device requirement has been established, the training device program must be described and documented in a Military Service's approved development plan (DP) or equivalent before development of the training device may proceed.

(2) The DP, which documents the Military Service's training requirement, must integrate the proposed, specific training device hardware or software system being developed and acquired with the training system for which it is intended.

(3) The DP shall address the following items as data become available:

(i) Assessment of Training need and expected benefit from the training device(s).

(ii) Description of the training device(s).

(iii) Acquisition and modification schedule.

(iv) Ability of the training devices to maintain or improve safety.

(v) Course and training estimates including projected student flows and

loads, requirements for instructors and other staff, location of training facilities, and other training requirements.

(c) *Acquisition guidelines.* (1) Training device alternatives including, but not limited to, trainers, general versus specific devices, real equipment versus simulated equipment, and embedded training capability should be evaluated by the Military Service concerned. Where applicable, economic analyses of alternatives should be conducted in accordance with the methods and assumptions in DoD Instruction 7041.3. The evaluation of each alternative should consider as appropriate:

(i) Life-cycle use versus costs.

(ii) Trade-off with requirements for munitions, if applicable.

(iii) Capability of the training device(s) to accommodate changes made to the parent defense systems based on data on minimum and maximum changes made over the life cycle of similar defense systems.

(iv) Student load and curriculum changes or field application training changes anticipated during the life cycle.

(2) When military specification equipment is not required to meet performance needs, commercial practices and equipment should be used to contain initial procurement and follow-on support costs. Commercially available training programs also deserve serious consideration.

(3) Specifications should cover training functions, performance levels, and required proficiency.

(d) *Training effectiveness evaluation guidelines.* Analysis of training capability and potential should focus on data based on actual experience.

§ 73.5 Responsibilities.

(a) The *Assistant Secretary of Defense for Force Management and Personnel* (ASD(FM&P)) shall:

(1) Monitor the Military Services' compliance with this part.

(2) Designate action officers for training devices associated with major system acquisitions' constituting major systems in themselves, and non-system training devices meeting the documentation threshold. These action officers shall:

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(i) Monitor the status of training devices, as assigned.

(ii) Review Military Service-provided DPs.

(iii) Obtain such reports and information as may be necessary in performing assigned functions, in accordance with DoD Directive 5000.19.

(3) Review the Military Service's Regulations, Manuals, or Instructions implementing this part.

(4) Review the Military Service's acquisition documentation to identify areas of potential joint applicability.

(5) Respond to Congressional inquiries on implementation of this part and results achieved.

(6) Administer a continuing review of policy on training devices, updating this part as necessary.

(b) *The head of each DoD component shall:*

(1) Ensure development of the Military Service's documents implementing this part.

(2) Ensure that the Military Service's charters for program managers of all major defense system acquisitions adequately address their training device responsibilities, and that program managers are supported by training system managers.

§ 73.6 Procedures.

(a) OSD oversight for training devices that support a major system or constitute major systems in themselves, shall be accomplished during the system acquisition review process. Military Service-approved DPs, which will evolve as data from detailed training analyses become available, shall be forwarded to OSD not later than the Program Objectives Memorandum (POM) submission in which budget year funds are requested for manufacture of the initial or prototype device(s), but in no case before the milestone listed in paragraph (1) or (2) of this section. Service charges to the DP shall be submitted to OSD as changes occur.

(1) DPs for training devices integral to a major system acquisition shall be submitted to support the Decision Coordinating Paper/Integrated Program summary of the parent defense system by Milestone II.

(2) For training devices designated major systems acquisitions, DPs shall

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be submitted with, or incorporated into, the System Concept Paper prepared for Milestone I.

(3) For non-system training devices, DPs, shall be submitted not later than the POM submission in which budget year funds are requested for manufacture of the prototype or the first device.

(b) *Training Effectiveness Evaluation Plan (TEEP).* (1) The Training Effectiveness Evaluation Plan shall be developed as applicable with regard to DoD Directive 5000.3 to ensure that acquired training devices meet the Military Service's training requirements and effectiveness levels. The TEEP shall describe the Service's plan to accomplish training effectiveness evaluations, to the extent the Services deem appropriate, for training devices associated with each major defense system acquisition, training devices constituting major systems in themselves or non-system training devices that meet the threshold described in § 73.2 of this section.

(2) The TEEP should document the planned evaluation of the training functions, performance levels, and proficiency requirements incorporated in the specifications. The TEEP should be approved by the sponsoring Service at least 6 months before the planned commencement of training effectiveness evaluation.

(3) For training devices not meeting thresholds described in § 73.2 of this part, the Military Services are encouraged to prepare, approve, and support a TEEP at least 6 months before the planned commencement of training effectiveness evaluation.

§ 73.7 Effective date and implementation.

This part is effective August 22, 1986. Forward one copy of each implementing document to the Assistant Secretary of Defense (Force Management and Personnel). Management reports and information specified herein shall be submitted for training devices reaching the stated milestones beginning with FY 87 as required by the ASD memorandum. Requirements shall be waived on a case-by-case basis for

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training devices for which this implementation date shall cause inordinate cost of manpower expenditures.

PART 74—APPOINTMENT OF DOCTORS OF OSTEOPATHY AS MEDICAL OFFICERS

Sec.

74.1 Purpose.

74.2 Policy.

AUTHORITY: 10 U.S.C. 3294, 5574, 8294.

SOURCE: 25 FR 14370, Dec. 31, 1960, unless otherwise noted.

§74.1 Purpose.

The purpose of this part is to implement the provisions of Pub. L. 763, 84th Congress (70 Stat. 608), relating to the appointment of doctors of osteopathy as medical officers.

§74.2 Policy.

In the interest of obtaining maximum uniformity, the following criteria are established for the appointment of doctors of osteopathy as medical officers:

(a) To be eligible for appointment as Medical Corps officers in the Army and Navy or designated as medical officers in the Air Force, a doctor of osteopathy must:

(1) Be a citizen of the United States;

(2) Be a graduate of a college of osteopathy whose graduates are eligible for licensure to practice medicine or surgery in a majority of the States, and be licensed to practice medicine, surgery, or osteopathy in one of the States or Territories of the United States or in the District of Columbia;

(3) Possess such qualifications as the Secretary concerned may prescribe for his service, after considering the recommendations for such appointment by the Surgeon General of the Army or the Air Force or the Chief of the Bureau of Medicine and Surgery of the Navy;

(4) Have completed a minimum of three years college work prior to entrance into a college of osteopathy;

(5) Have completed a four-year course with a degree of Doctor of Osteopathy from a school of osteopathy approved by the American Osteopathic Association; and

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(6) Have had subsequent to graduation from an approved school of osteopathy 12 months or more of intern or residency training approved by the American Osteopathic Association.

(b) [Reserved]

PART 75—CONSCIENTIOUS OBJECTORS

Sec.

75.1 Purpose.

75.2 Applicability and scope.

75.3 Definitions.

75.4 Policy.

75.5 Criteria.

75.6 Procedure.

75.7 Action after decision.

75.8 Claims of erroneous induction.

75.9 Required information to be supplied by applicants for discharge or noncombatant service.

75.10 Statement (counseling concerning Veterans Administration benefits).

75.11 Statement (counseling concerning designation as conscientious objector).

AUTHORITY: Sec. 552 of title 5, United States Code.

SOURCE: 36 FR 22231, Nov. 23, 1971, unless otherwise noted.

§75.1 Purpose.

This part updates uniform Department of Defense procedures governing conscientious objectors and processing requests for discharge based on conscientious objection.

§75.2 Applicability and scope.

The provisions of this part apply to the military departments and govern the personnel of the Army, Navy, Air Force, and Marine Corps and all Reserve components thereof.

§75.3 Definitions.

(a) *Conscientious objection—General.* A firm, fixed and sincere objection to participation in war in any form or the bearing of arms, by reason of religious training and belief.

(1) *Class 1—O conscientious objector.* A member, who, by reason of conscientious objection, sincerely objects to participation of any kind in war in any form.

(2) *Class 1—A—O conscientious objector.* A member who, by reason of conscientious objection, sincerely objects to participation as a combatant in war in