

Office of the Secretary of Defense

§ 72.5

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 offer-

ings at one or more installations to one institution or a prescribed maximum number of institutions.

(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

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

of Defense (Force Management and Personnel) within 120 days.

PART 73—TRAINING SIMULATORS AND DEVICES

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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 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

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