

5025.1,⁵ “Department of Defense Directives System,” October 16, 1980.

(r) Enter into support and services agreements with the Military Departments, other DoD components, or other Government agencies as required for the effective performance of responsibilities and functions assigned to DIA.

(s) Exercise the authority delegated to the Secretary of Defense by the Administrator of the General Services Administration with respect to the disposal of surplus personal property.

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

(t) Enter into and administer contracts, directly or through another DoD Component or other Federal Agency, as appropriate, for supplies, equipment, and services required to accomplish the mission of the Defense Intelligence Agency. Contracting will be accomplished in accordance with applicable laws, DoD regulations and the Defense Acquisition Regulation. To the extent that any law or executive order specifically limits the exercise of such authority to persons at the Secretarial level of the Military Department, such authority will be exercised by the appropriate Under Secretary of Defense.

[42 FR 33734, July 1, 1977, as amended at 45 FR 84996, Dec. 24, 1980. Redesignated and amended at 58 FR 39360, July 22, 1993]

PART 386—CENTRAL IMAGERY OFFICE

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AUTHORITY: 10 U.S.C. 301 and E.O. 12333, 3 CFR, 1981 Comp., p. 200.

SOURCE: 57 FR 23157, June 2, 1992, unless otherwise noted. Redesignated at 58 FR 39360, July 22, 1993.

§ 386.1 Purpose and applicability.

(a) This part establishes a Central Imagery Office (CIO) within the Department of Defense to ensure that United States Government intelligence, mapping, charting and geodesy, and other needs for imagery are met effectively and efficiently in a manner conducive to national security, consistent with the authorities and duties of the Secretary of Defense and the Director of Center Intelligence under title 10, U.S.C., E.O. 12333, and DoD Directive 5240.1.¹

(b) This part applies to the Office of the Secretary of Defense; the Military Departments; the Chairman of the Joint Chiefs of Staff and the Joint Staff; the Unified and Specified Combatant Commands; the Defense Agencies; and DoD Field Activities.

§ 386.2 Mission.

The Central Imagery Office shall provide support to the Department of Defense, the Central Intelligence Agency, and other Federal Government departments and agencies on matters concerning imagery relating to the national security.

§ 386.3 Organization and management.

The Central Imagery Office is hereby established as a defense agency of the Department of Defense under 10 U.S.C. and is hereby designated as a combat support agency. The Assistant Secretary of Defense for Command, Control, Communications, and Intelligence shall exercise overall supervision over the Central Imagery Office. The Central Imagery Office shall consist of a Director of the Central Imagery Office and such subordinate organizational elements, including the central imagery tasking authority required by § 386.5(a)(4), as the Director establishes within the resources made available.

§ 386.4 Responsibilities and functions.

The Director of the Central Imagery Office shall:

(a) Organize, direct, and manage the Central Imagery Office and all assigned resources.

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

⁵ See footnote 1 to § 385.3.

(b) Manage the establishment of national imagery collection requirements consistent with guidance received from the Director of Central Intelligence under E.O. 12333.

(c) Ensure responsive imagery support to the Department of Defense, the Central Intelligence Agency, and, as appropriate, other Federal Government departments and agencies, including by coordination of imagery collection tasking, collection, processing, exploitation, and dissemination.

(d) Task imagery collection elements of the Department of Defense to meet national intelligence requirements, including requirements established by the Director of Central Intelligence in accordance with the National Security Act of 1947 and E.O. 12333, except that the Director of the Central Imagery Office shall advise an imagery collection element on collection of imagery to meet such national intelligence requirements when the collection element both:

(1) Is assigned to or under the operational control of the Secretary of a Military Department or a commander of a unified or specified command and,

(2) Is not allocated by the Secretary of Defense to meet national intelligence requirements.

(e) Advise imagery collection elements of the Department of Defense on the collection of imagery to meet non-national intelligence requirements.

(f) Establish, consistent to the maximum practicable extent with the overall functional architectures of the Department of Defense, the architectures for imagery tasking, collection, processing, exploitation, and dissemination within the Department of Defense, and, to the extent authorized by the heads of other departments or agencies with imagery tasking, collection, processing, exploitation, and dissemination functions establish the architectures for imagery tasking, collection, processing, exploitation, and dissemination within those departments or agencies.

(g) Establish, in coordination with the Director of the Defense Information Systems Agency, as appropriate, standards for imagery systems for which the Department of Defense has responsibility and ensure compatibility and interoperability for such systems,

and, to the extent authorized by the heads of other departments or agencies with imagery systems, establish standards and ensure compatibility and interoperability with respect to the systems of those departments or agencies.

(h) Serve as the functional manager for a Consolidated Imagery Program within the National Foreign Intelligence Program consistent with applicable guidance received from the Director of Central Intelligence in accordance with the National Security Act of 1947 and E.O. 12333.

(i) Serve as the functional manager for the Tactical Imagery Program within the budget aggregation known as the Tactical Intelligence and Related Activities.

(j) Evaluate the performance of imagery components of the Department of Defense in meeting national and non-national intelligence requirements, and to the extent authorized by the heads of other departments or agencies with imagery tasking, collection, processing, exploitation, and dissemination functions evaluate the performance of the imagery components of those departments or agencies in meeting national and non-national intelligence requirements.

(k) Develop and make recommendations on national and non-national imagery policy, including as it relates to international matters, for the approval of appropriate Federal Government officials.

(l) Support and conduct research and development activities related to imagery tasking, collection, processing, exploitation, and dissemination, consistent with applicable law and Department of Defense directives.

(m) Protect intelligence sources and methods from unauthorized disclosure in accordance with guidance received from the Director of Central Intelligence under the National Security Act of 1947 and E.O. 12333.

(n) Ensure the compliance of the Central Imagery Office with 10 U.S.C. the National Security Act of 1947, E.O. 12333, DoD Directive 5240.1² and 5240.1-

² See footnote 1 to § 386.1(a).

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R³ and other applicable laws and Department of Defense directives.

(o) Establish standards for training personnel performing imagery tasking, collection, processing, exploitation, and dissemination functions.

(p) Advise the Secretary of Defense and the Director of Central Intelligence on future needs for imagery systems.

(q) Ensure that imagery systems are exercised to support military forces.

(r) Perform such other functions related to imagery as the Secretary of Defense may direct.

[57 FR 23157, June 2, 1992. Redesignated and amended at 58 FR 39360, July 22, 1993]

§ 386.5 Relationships.

(a) In performing assigned functions, the Director of the Central Imagery Office shall:

(1) Communicate directly with the heads of Department of Defense components concerning imagery matters as appropriate.

(2) Maintain liaison with Executive branch entities on imagery matters as appropriate.

(3) To the extent permitted by law, make use of established facilities and services in the Department of Defense or other governmental agencies, whenever practicable, to achieve maximum efficiency and economy, with special emphasis on maximizing use of the existing personnel, facilities, and services of the Defense Intelligence Agency, the Defense Mapping Agency, the National Security Agency, and, to the extent authorized by the Director of Central Intelligence, the Central Intelligence Agency.

(4) Establish within the Central Imagery Office a central imagery tasking authority to execute the imagery collection tasking authority of the Director of the Central Imagery Office.

(b) The Secretaries of the Military Departments, the Chairman of the Joint Chiefs of Staff, and the heads of other Department of Defense components shall support the Director of the Central Imagery Office in the perform-

³Copies may be obtained from Assistant Secretary of Defense for Command, Control, Communications, and Intelligence, ATTN: M. O'Byrne, Washington, DC 20301.

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ance of the Director's functions, including by:

(1) Ensuring compliance with national intelligence tasking issued under § 386.4(d).

(2) Ensuring compliance with the architectures and standards established by the Director of the Central Imagery Office under § 386.4(f), (g), and (o).

(3) Assisting the Director in his role as functional manager for the Consolidated Imagery Program and the Tactical Imagery Program under § 386.4(h) and (i).

(4) Submitting imagery collection requirements to the Director.

§ 386.6 Delegations of authority.

(a) The Assistant Secretary of Defense for Command, Control, Communications, and Intelligence is hereby delegated the authority to issue instructions to Department of Defense components to implement DoD Directive 5105.56⁴. Instructions to the Military Departments shall be issued through the Secretaries of the Military Departments. Instructions to the commanders in chief of the Unified and Specified Combatant Commands shall be issued through the Chairman of the Joint Chiefs of Staff.

(b) The Director of the Central Imagery Office is hereby delegated the authority to obtain reports, information, advice, and assistance, consistent with DoD Directive 7750.5⁵, as necessary, in the performance of the Director's assigned functions.

[57 FR 23157, June 2, 1992. Redesignated and amended at 58 FR 39360, July 22, 1993]

§ 386.7 Administration.

(a) The Director of the Central Imagery Office shall be appointed by the Secretary of Defense on the recommendation of the Director of Central Intelligence.

(b) The Director of the Central Imagery Office shall obtain administrative support, including personnel, budget execution, and contracting services, from the Defense Intelligence Agency and, to the extent permitted by law and approved by the Secretary of

⁴See footnote 1 to § 386.1(a).

⁵See footnote 1 to § 386.1(a).

Defense and the Director of Central Intelligence, the Central Intelligence Agency.

(c) Resources for the Central Imagery Office shall be provided through the National Foreign Intelligence Program and the budget aggregation known as Tactical Intelligence and Related Activities, in accordance with applicable planning, programing, and budgeting system processes.

PART 387—DEFENSE CONTRACT AUDIT AGENCY

Sec.

- 387.1 Purpose.
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AUTHORITY: 10 U.S.C. chapter 4.

SOURCE: 43 FR 32755, July 28, 1978, unless otherwise noted. Redesignated at 58 FR 39360, July 22, 1993.

§ 387.1 Purpose.

Pursuant to authority vested in the Secretary of Defense under the provisions of title 10, United States Code, this part establishes the Defense Contract Audit Agency (hereafter referred to as "DCAA") with responsibilities, functions, authorities, and relationships as outlined below.

§ 387.2 Mission.

DCAA shall:

(a) Perform all necessary contract audit for the Department of Defense and provide accounting and financial advisory services regarding contracts and subcontracts to all Department of Defense components responsible for procurement and contract administration. These services will be provided in connection with negotiation, administration, and settlement of contracts and subcontracts.

(b) Provide contract audit service to other Government agencies as appropriate.

§ 387.3 Organization and management.

(a) DCAA is established as a separate agency of the Department of Defense

under the direction, authority and control of the Assistant Secretary of Defense (Comptroller). 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.

(b) No separate contract audit organization independent of the DCAA shall be established in the Department of Defense.

§ 387.4 Responsibilities and functions.

The Director, DCAA, shall:

(a) Organize, direct, and manage the DCAA and all resources assigned to the DCAA.

(b) Assist in achieving the objective of prudent contracting by providing DoD officials responsible for procurement and contract administration with financial information and advice on proposed or existing contracts and contractors, as appropriate.

(c) Audit, examine and/or review contractors' and subcontractors' accounts, records, documents, and other evidence; systems of internal control; accounting, costing, and general business practices and procedures; to the extent and in whatever manner is considered necessary to permit proper performance of the other functions described in paragraphs (d) through (l) of this section.

(d) Examine reimbursement vouchers received directly from contractors, under cost-type contracts, transmitting those vouchers approved for payment to the cognizant disbursing officer and issuing DCAA Form 1, "Notice of Contract Costs Suspended and/or Disapproved," with a copy to the cognizant contracting officer, with respect to costs claimed but not considered allowable. Where the contractor disagrees with a suspension or disallowance action by DCAA, and the difference cannot be resolved, the contractor may appeal in writing to the Administrative Contracting Officer (ACO) who will make his determination in writing. In addition, the contracting officer may direct the issuance of DCAA Form 1, "Notice of Contract Costs Suspended and/or Disapproved," with respect to any cost which he has reason to believe should be suspended or disapproved.