

§ 257.4

§ 257.4 Policy.

It is DoD policy to accept service of process directed to the Secretary of Defense or a Secretary of a Military Department in his official capacity. Acceptance of service of process will not constitute an admission or waiver with respect to the jurisdiction or to the propriety of service.

§ 257.5 Responsibilities.

The following responsibilities may not be redelegated:

(a) The *General Counsel, Department of Defense*, shall accept service of process for the OSD.

(b) The *Secretary of the Army*, or his designee, the *Chief, Litigation Division, Office of the Judge Advocate General*, shall accept service of process for the Department of the Army.

(c) The *Secretary of the Navy*, or his designee, the *General Counsel*, shall accept service of process for the Department of the Navy.

(d) The *Secretary of the Air Force*, or his designee, the *Chief, General Litigation Division, Office of the Judge Advocate General*, shall accept service of process for the Department of the Air Force.

PART 258—COOPERATION WITH ALLIES IN RESEARCH AND DEVELOPMENT OF DEFENSE EQUIPMENT

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258.6 Responsibilities and authorities.

AUTHORITY: 5 U.S.C. 301.

SOURCE: 33 FR 13024, Sept. 14, 1968, unless otherwise noted.

§ 258.1 Purpose.

It is the purpose of this part to specify Defense Department policy for strengthening cooperation with Allies in research and development and to assign responsibilities for implementing it. This policy calls for maximum coordination of technical objectives and programs with those of our allies. It complements DoD Directive 3100.4, Harmonization of Qualitative Require-

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ments for Defense Equipment of United States and Allies.¹

§ 258.2 Background.

Cooperation in defense research and development between the United States and its Allies since World War II has been aimed primarily at assisting them, financially as well as technically, in developing indigenous capabilities. The economic status of certain of these Allies has now evolved beyond the point of warranting further financial assistance. However, the evolution of modern weapons of increasing cost and complexity makes the effective utilization of the aggregate of available technical resources a matter of concern to each nation.

§ 258.3 Policy.

(a) The United States will cooperate with its Allies to the greatest degree possible in the development of defense equipment, where such cooperation is in the overall best interests of the United States. The objectives of such cooperation will be:

(1) To make the best equipment available to the United States and its Allies in the most timely manner.

(2) To increase the effectiveness of the scientific and technical resources of the United States and its Allies, especially by eliminating unnecessary and wasteful duplication of effort.

(3) To achieve the maximum practicable degree of standardization of equipment.

(4) To create closer military ties among the Alliance.

(b) The United States will seek to enter in bilateral and multilateral agreements with its allies that will minimize waste resulting from purely duplicative R&D programs and, within the criteria stated in § 258.4, encourage the establishment of a mutually acceptable free, fully competitive market for defense R&D. To this effect, the DoD will:

(1) Continue to encourage the mutual development of technical capabilities, in particular through exchanges of significant information.

¹Copies available from Naval Supply Depot, 5801 Tabor Avenue, Philadelphia, Pa. 19120; Attn.: Code 300.

(2) Coordinate exploratory, advanced and engineering development plans to minimize wasteful duplication.

(3) Participate in joint development programs for major systems meeting harmonized requirements, whenever such programs meet the objectives and criteria listed in this part.

(4) Consistent with OSD guidance, consider promising foreign as well as U.S. R&D resources prior to placing research and development contracts.

(5) Facilitate availability of U.S. R&D resources to foreign procurement agencies, on terms similar to those governing availability of these resources to U.S. agencies.

(c) Necessary release of classified information will be in accordance with the provisions of the National Disclosure Policies.

§ 258.4 Criteria.

(a) The general criteria for such cooperation will be:

(1) Except for MAP "grant-aid countries," no appropriations available to the DoD will be used to finance the foreign research and development effort unless the program is aimed at satisfying a United States military need.

(2) Except for MAP "grant-aid countries," cooperative R&D programs will be funded by Service RDT&E funds.

(3) U.S. participation in jointly funded development programs will not be approved unless the United States receives design and production rights equivalent to those secured from domestic sources.

(b) International balance-of-payments considerations have resulted in the establishment of certain specific restrictions pertinent to DoD overseas activities, including those relating to foreign R&D. The screening and selection of proposed R&D projects must be consistent with these restrictions. In this connection, preference should be given to the following types of joint R&D undertakings:

(1) Projects that provide for the investment of foreign funds in U.S. R&D activities under mutually acceptable terms and conditions.

(2) Projects that offer the U.S. good prospects for the ultimate sale of the end item or associated components to second and third foreign parties.

(3) Projects that capitalize on the unique technical state-of-the-art capabilities existing in a foreign country and offer prospects of saving the U.S. time and money in the R&D and production field.

(4) Projects that enable the United States to assist and/or accommodate a foreign second party to accomplish joint R&D objectives without jeopardizing U.S. aspirations to promote future U.S. sales to third countries.

§ 258.5 Procedures.

Procedures for accomplishing and administering the cooperative programs and projects will be integrated into DoD management systems so that decisions concerning national and international programs will be made by the same individuals.

§ 258.6 Responsibilities and authorities.

(a) The Military Departments are charged with the primary responsibility for implementing this part.

(b) The Director of Defense Research and Engineering will be responsible for monitoring the implementation of this part. He will:

(1) Negotiate basic policy agreements with foreign Ministries of Defense as appropriate.

(2) Consult with the Joint Chiefs of Staff on the interaction of research and development and strategic doctrines.

(3) Seek formal statements of military operational requirements from the Military Departments or the JCS, as appropriate, for research and development projects and equipment areas which require such statements.

(4) Recommend to the Secretary of Defense policy guidance and appropriate instructions for the Military Departments to assure consistency of their actions and conformity with National Policy.

(5) Continually review progress made towards the objectives of this part.

(6) Request policy guidance and support from Assistance Secretaries of Defense (ISA) (I&L) (Comp), and the General Counsel on matters within their respective fields of responsibility.

(c) The Defense Advisor U.S. Mission to the North Atlantic Treaty Organization will assist the Director of Defense

Research and Engineering, as directed, in supervising the implementation of this part.

(d) Military Assistance Advisory Groups and Missions will provide advice and assistance to the Military Departments as requested and within the limits of availability of assigned resources. Those MAAGs and Missions within the North Atlantic Treaty Organization areas will provide advice and assistance to the Defense Advisor U.S. NATO when requested.

PART 259—UNIFORM RELOCATION ASSISTANCE AND REAL PROPERTY ACQUISITION FOR FEDERAL AND FEDERALLY-ASSISTED PROGRAMS

AUTHORITY: Section 213, Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, Pub. L. 91-646, 84 Stat. 1894, (42 U.S.C. 4601) as amended by the Surface Transportation and Uniform Relocation Assistance Act of 1987, Title IV of Pub. L. 100-17, 101 Stat. 246-256 (42 U.S.C. 4601 note).

§ 259.1 Uniform relocation assistance and real property acquisition.

Regulations and procedures for complying with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, Pub. L. 91-646, 84 Stat. 1894 42 U.S.C. 4601) as amended by the Surface Transportation and Uniform Relocation Assistance Act of 1987 (Title IV of Pub. L. 100-17, 101 Stat. 246-256, 42 U.S.C. 4601 note) are set forth in 49 CFR part 24.

[52 FR 48020, Dec. 17, 1987]

PART 260—VENDING FACILITY PROGRAM FOR THE BLIND ON FEDERAL PROPERTY

Sec.

- 260.1 Reissuance and purpose.
- 260.2 Applicability.
- 260.3 Policy.
- 260.4 Responsibilities.
- 260.5 Arbitration.
- 260.6 Definitions.

AUTHORITY: 49 Stat. 1559, as amended by Act of Aug. 3, 1954, Pub. L. 83-565, 68 Stat. 663, as further amended by Pub. L. 93-516, 88 Stat. 1622, (20 U.S.C. 107).

SOURCE: 43 FR 25337, June 12, 1978, unless otherwise noted.

§ 260.1 Reissuance and purpose.

This part updates part 260 to implement the provisions of the Randolph-Sheppard Vending Stand Act and 45 CFR part 13, part 1369, and establishes within the Department of Defense:

- (a) Uniform policies for application of priority accorded the blind to operate vending facilities;
- (b) Requirements for satisfactory vending facility sites in DoD Component-owned or occupied buildings; and,
- (c) Vending machine income-sharing requirements on property under the jurisdiction of a DoD Component.

§ 260.2 Applicability.

The provisions of this part apply to the office of the Secretary of Defense, the Military Departments, and the Defense Agencies (hereafter referred to as "DoD Components") in the 50 States, the District of Columbia, Puerto Rico, American Samoa, Guam, and the Virgin Islands.

§ 260.3 Policy.

In implementation of the Randolph-Sheppard Act, priority on DoD-controlled property will be extended to the blind as set out below:

- (a) The blind will be given a priority in establishment and operation of vending facilities.
- (b) The blind will be given a priority in award of contracts to operate cafeterias.
- (c) In conjunction with acquisition or substantial alteration or renovation of property, satisfactory sites will be provided for operation of blind vending facilities.
- (d) Certain income from vending machines operated by a DoD Component either directly or by contract will be given to State licensing agencies.
- (e) DoD components will take necessary action to ensure that, within their areas of responsibility, the requirements set forth below are implemented.
- (f) The blind have a priority right to operate vending facilities on DoD-controlled property when the opportunity to operate them becomes available.