

9. Approve the expenditure of funds available for travel by military personnel assigned or detailed to the DISA for expenses incident to attendance at meetings of technical, scientific, professional, or other similar organizations in such instances where the approval of the Secretary of Defense, or designee, is required by 37 U.S.C. 412, and 5 U.S.C. 4110 and 4111.

10. Develop, establish, and maintain an active and continuing Records Management Program pursuant to 44 U.S.C. 3102 and DoD Directive 5015.2,⁵ "Records Management Program," March 22, 1991.

11. Establish and use imprest funds for making small purchases of material and services, other than personal services, for the DISA, when it is determined more advantageous and consistent with the best interests of the Government, in accordance with DoD Directive 7360.10,⁶ "Disbursing Policies," January 17, 1989.

12. Authorize the publication of advertisements, notices, or proposals in newspapers, magazines, or other public periodicals as required for the effective administration and operation of the DISA consistent with 44 U.S.C. 3702.

13. Establish and maintain appropriate property accounts for the DISA, and appoint Boards of Survey, approve reports of survey, relieve personal liability, and drop accountability for DISA property in the authorized property accounts that has been lost, damaged, stolen, destroyed, or otherwise rendered unserviceable, in accordance with applicable laws and regulations.

14. Promulgate the necessary security regulations for the protection of property and places under the jurisdiction of the Director, DISA, pursuant to DoD Directive 5200.8,⁷ "Security of Military Installations and Resources," July 29, 1980.

15. Establish and maintain, for the functions assigned, an appropriate publications system for the promulgation of common supply and service regulations, instructions, and reference documents, and changes thereto, pursuant to the policies and procedures prescribed in DoD 5025.1-M,⁸ "DoD Directives System Procedures," December 1990.

16. Enter into support and service agreements with the Military Departments, other DoD Components, or other Government Agencies, as required, for the effective performance of DISA functions and responsibilities.

17. Exercise the authority delegated to the Secretary of Defense by the Administrator of General Services on the disposal of surplus personal property.

18. Enter into and administer contracts, directly or through a Military Department, a DoD contract administration services component, or other Federal Agency, as appropriate, for supplies, equipment, and services required to accomplish the mission of the DISA. To the extent that any law or Executive order specifically limits the exercise of such authority to persons at the Secretarial level of a Military Department, such authority shall be exercised by the appropriate Under Secretary or Assistant Secretary of Defense.

19. Award contracts for the lease of commercial C3 capabilities as delegated in DoD Directive 5134.1,⁹ "Under Secretary of Defense (Acquisition)," August 8, 1989.

20. Lease property under the control of the DISA under terms that will promote the national defense or that will be in the public interest, pursuant to 10 U.S.C. 2667.

The ASD(C3I) may redelegate these authorities, as appropriate, and in writing, except as otherwise provided by law or regulation.

These delegations of authority are effective June 25, 1991.

PART 363—DEFENSE SECURITY ASSISTANCE AGENCY

Sec.

363.1 Purpose.

363.2 Mission.

363.3 Organization and management.

363.4 Responsibilities and functions.

363.5 Authority.

363.6 Relationships.

363.7 Administration.

AUTHORITY: 10 U.S.C. chapter 4.

SOURCE: 43 FR 57875, Dec. 11, 1978, unless otherwise noted.

§ 363.1 Purpose.

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

⁹See footnote 1 to section 3 of this appendix.

⁵See footnote 1 to section 3 of this appendix.

⁶See footnote 1 to section 3 of this appendix.

⁷See footnote 1 to section 3 of this appendix.

⁸See footnote 1 to section 3 of this appendix.

§ 363.2 Mission.

DSAA shall direct, administer, and supervise the execution of security assistance programs. "Security assistance" as used in this part, refers to the responsibilities of the Secretary of Defense under the Foreign Assistance Act of 1961, as amended, the Arms Export Control Act, as amended, related statutory authorities and Executive Orders and Directives relating to the administration of Military Assistance, International Military Education and Training, credit financing and Foreign Military Sales, DoD Directives 5132.3, 5100.27, and 5105.20.¹

§ 363.3 Organization and management.

(a) DSAA is established as a separate agency of the Department of Defense under the direction, authority and control of the Assistant Secretary of Defense (International Security Affairs) (hereinafter referred to as "ASD(ISA)").

(b) DSAA shall consist of a Director and such subordinate organizational elements as are established by the Director within resources authorized by the Secretary of Defense.

(c) The Director, DSAA, may also serve as Deputy Assistant Secretary of Defense (Security Assistance) in the Office of the ASD(ISA).

§ 363.4 Responsibilities and functions.

(a) The *Director, DSAA*, shall:

(1) Organize, direct and manage the DSAA and all resources assigned to the DSAA.

(2) Direct, administer, and supervise, within the policies established by the ASD(ISA), Security Assistance planning and programs. The administration of sales programs may be delegated in whole or in part to the Military Departments, but such administration will be under the direction and supervision of the DSAA.

(3) Supervise formulation of detailed Security Assistance programs in accordance with approved guidance and policies.

(4) Coordinate the formulation and execution of Security Assistance programs with other governmental agencies under the guidance of the ASD(ISA).

(5) Review evaluations of Security Assistance program administration, including responsibility with respect to GAO and other audits.

(6) Conduct international logistics and sales negotiations with foreign countries, as directed by the ASD(ISA) and in coordination with the Under Secretary of Defense for Research and Engineering and the Assistant Secretary of Defense (Manpower, Reserve Affairs and Logistics), as appropriate.

(7) Serve as DoD focal point for liaison with U.S. industry with respect to Security Assistance activities.

(8) Manage the credit financing program, including the conclusion of credit agreements and the issuance of guarantees.

(9) Develop and promulgate Security Assistance procedures (MASM) 5105.38-M.²

(10) Supervise and perform, as appropriate, accounting and reporting functions for Security Assistance programs.

(11) Develop and operate the data processing system and maintain the worldwide data base required by all levels of management for the Security Assistance program.

(12) Maintain liaison with Congress on Security Assistance legislation and related matters and provide support to the ASD(ISA) for the presentation of the annual Security Assistance program before the Congress.

(13) Provide data support for the annual Security Assistance budget for inclusion in the President's budget.

(14) Keep the Joint Chiefs of Staff and the Commanders of the Unified Commands fully informed of Security Assistance matters.

(15) Direct and supervise organization, functions, and staffing of DoD elements in foreign countries responsible for managing Security Assistance programs.

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

²Copies may be obtained, if needed, from the Defense Security Assistance Agency (Comptroller), Room 4B715, Pentagon, Washington, D.C. 20301. Telephone 202-697-2293.

§ 363.5

(16) Perform such other functions as assigned by the ASD(ISA).

(b) The *ASD(ISA)* shall:

(1) Establish DoD Security Assistance policies.

(2) Coordinate the activities of DoD components related to Security Assistance affairs.

(3) Serve as the principal DoD point of contact and spokesman regarding Security Assistance policy, representing the DoD with other governmental agencies with respect to such matters.

(c) The basic responsibilities and functions of other DoD components relating to Security Assistance remain as assigned in DoD directive 5132.3.³

§ 363.5 Authority.

The Director, DSAA, is specifically delegated authority to:

(a) Have free and unrestricted access to, and direct communication with, all elements of the Department of Defense and other executive departments and agencies as necessary. all ASD(ISA) and DSAA Security Assistance directives and communications to the Unified and Specified Commands, the Military Departments, and the Military Assistance Advisory Groups, which have military operational implications, shall be coordinated with the Joint Chiefs of Staff. Conversely, all Joint Chiefs of Staff directives and communications to the Unified and Specified Commands or the Military Departments, which pertain to Security Assistance affairs, shall be coordinated with the ASD(ISA).

(b) Obtain such information, consistent with the policies and criteria of DoD Directive 5000.19,³ advice, and assistance from other DoD components as may be necessary for the performance of assigned functions and responsibilities.

(c) Exercise the redelegation of authority previously established.

§ 363.6 Relationships.

(a) In the performance of his functions, the Director, DSAA shall:

(1) Maintain appropriate liaison with other DoD components for the ex-

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change of information on programs in the field of assigned responsibilities.

(2) Make use of established facilities and services in the DoD or other governmental agencies wherever practicable to achieve maximum efficiency and economy.

(3) Conduct activities involving financial management, fiscal matters, accounting, budgeting, statistical reporting, and the international balance of payments, in accordance with policies and procedures established by the Assistant Secretary of Defense (Comptroller).

(b) The Military Department and other DoD components shall provide support, within their respective fields of responsibility to the Director, DSAA, to assist in carrying out assigned responsibilities and functions of DSAA.

§ 363.7 Administration.

(a) The Director, DSAA, shall be appointed by the Secretary of Defense.

(b) The appointment of other personnel to the Agency will be subject to the approval of the Director, DSAA, and the ASD(ISA).

(c) DSAA will be authorized such personnel, facilities, funds, and other administrative support as the Secretary of Defense deems necessary.

(d) The Military Departments will assign military personnel to DSAA in accordance with approved authorizations and procedures for assignment to joint duty.

PART 364—WASHINGTON HEADQUARTERS SERVICES

Sec.

- 364.1 Purpose.
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APPENDIX A TO PART 364—DELEGATIONS OF AUTHORITY

AUTHORITY: 10 U.S.C. 131.

SOURCE: 56 FR 23802, May 24, 1991, unless otherwise noted. Redesignated at 58 FR 39360, July 22, 1993.

³See footnote 1 to § 363.2.