



**DEPARTMENT OF THE NAVY**  
COMMANDER OPERATIONAL TEST AND EVALUATION FORCE  
7970 DIVEN STREET  
NORFOLK, VIRGINIA 23505-1498

3890  
APR 16 2002

STANDARD OPERATING PROCEDURE 02-2

Subj: INDUSTRY OBSERVATION OF OPERATIONAL TESTING

Ref: (a) COMOPTEVFORINST 3960.1H

Encl: (1) COMMANDER, OPERATIONAL TEST and EVALUATION FORCE  
Non-Interference Agreement

1. **Purpose**. To provide a standard procedure for industry observer(s) during operational testing.
2. **Background**. Contractor "involvement" in operational testing (OT) has been a highly debated subject for a number of years in the test and evaluation (T&E) community. The Navy position has been that contractors (i.e., system industry manufacturers), as well as SYSCOM/Program Office personnel and their contractors, were not allowed to participate in or observe independent OT&E. The exception to this was if the system description included contractor maintenance support when the system was fielded. The Navy has been the most inflexible of the service Operational Test Agencies (OTA) with regard to this issue. The procedures outlined below are designed to relax this position while preserving our OTA independence.
3. **Procedure**. This procedure is designed to aid the operational test director (OTD) in executing the command's goal to allow industry observers of OT. The level of this involvement is limited to *observation* of OT only, unless assistance is requested by the OTD on-site during the test. By allowing industry observers at OT, it is expected that they will gain a greater appreciation of the context in which problems, anomalies, or deficiencies occur, thereby reducing the time for correction. Industry observers are under contract to the program managers (PM) and, therefore, are an extension of the program office. Industry observers are not under a "gag order" which would prohibit discussion of test observations, as they would be as trusted agents. If observers communicate with their company or the program office during testing, they are not in violation of the non-interference agreement.

a. Observers are allowed at the OT **at the discretion of COMOPTEVFOR**

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- b. There is no requirement to allow observers at an OT.
- c. Observers must sign a non-interference agreement.
- d. OTDs will not task the observer either verbally or in writing.
- e. There is no change in current procedures for reporting anomalies or deficiencies.
- f. Notify the PM, through the integrated process team, of intent to invite industry observer(s).
- g. Observers are not a replacement for contract analytical support funded by the PM. Ensure that the PM is aware of his/her continuing requirement to fund analytical support per SECNAVINST 5000.2B and detailed in the TEMP.
- h. All costs associated with industry observers are the responsibility of the program office or observer's employer.
- i. Observers may be granted access to test/event briefings (e.g., pre-briefs, post briefs, hot wash-ups, technical discussions).
- j. The OTD, in conjunction with his/her cognizant division Assistant Chief of Staff/Deputy Assistant Chief of Staff, must determine the appropriate number of industry observers and if they can be logistically supported.
- k. Observers are not allowed to interface directly with test participants (i.e., operators or maintainers, military or civilian) without expressed permission of the OTD. If such permission is granted, the OTD must document specifically what was discussed for possible inclusion in the final report.
- l. Observers are not allowed to operate or maintain the system under test or any systems directly or indirectly interfacing with the system under test without expressed permission of the OTD. If such permission is granted, the OTD must document specifically what was done for possible inclusion in the final report.
- m. Ensure that any and all observers understand that safety is of paramount importance. If they observe something they perceive to be a safety issue, either through operation of the

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system or elsewhere, they are not only allowed but are required to bring the safety concern to the immediate attention of the OTD or test team.

**4. Implementation.** This policy is effective immediately and will be included in reference (a) as appropriate.

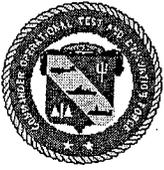


R. E. BESAL

Distribution:

COMOPTEVFORINST 5216.2Q (Lists I and III)

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**COMMANDER, OPERATIONAL TEST and EVALUATION FORCE  
Non-Interference Agreement**

Commander, Operational Test and Evaluation Force (COMOPTEVFOR), an Echelon II command, is the U.S. Navy's sole independent operational test (OT) agency reporting directly to the CNO. I understand that my presence during the OT is at the discretion of COMOPTEVFOR. The purpose of my presence is to gain first-hand knowledge of the system under test, its operations, and to provide insight to any deficiencies or anomalies that may occur during OT.

I understand that I am subject to 10 U.S.C. 2399 (Operational Test and Evaluation of Defense Acquisition Programs), 10 U.S.C. 130 (Authority to Withhold From Public Disclosure Certain Technical Data), and 5 U.S.C. 552(b)(5) (Public information; agency rules, opinions, orders, records, and proceedings) in executing this agreement.

I understand that while I am observing test events, I am restricted from interfering, either physically or verbally, with the conduct or execution of the OT without expressed permission of the operational test director (OTD).

I understand I am not allowed physical access to the system under test, or any other system interfacing with the system under test without the expressed permission of the OTD.

If the OTD determines that I am not complying with this agreement or its intent, he/she can direct my removal from all aspects of the testing as soon as practicable. Additionally, if I feel that I can no longer comply with this policy, I will notify the COMOPTEVFOR officer responsible for the OT, and I will be removed from the test site as soon as practicable.

I understand I am not allowed to discuss system performance with test participants, both military and civilian, without the expressed permission of the OTD.

**Interference to identify immediate safety issues is excluded from this restriction.**

I understand that I will be allowed access to the test operations on a not-to-interfere basis during the conduct of the operational test and evaluation of \_\_\_\_\_ during the period \_\_\_\_\_. By my signature on this document, I signify that I have read, understand, and will comply with this not-to-interfere policy.

I understand that if I violate this policy, both I and other representatives of my employer will not be allowed access to observe OT in any future OT until acceptable justification for the violation is presented to COMOPTEVFOR.

I have read, understand, and will comply with the COMOPTEVFOR not-to-interfere policy.

\_\_\_\_\_  
FULL NAME (PRINTED)

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
DATE

\_\_\_\_\_  
COMPANY NAME

\_\_\_\_\_  
COMPANY ADDRESS

Enclosure (1)

The above signatory is hereby granted access for observation of the OT identified above during the period specified.

\_\_\_\_\_  
ACOS NAME (PRINTED)

\_\_\_\_\_  
ACOS SIGNATURE

\_\_\_\_\_  
Date