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[38 FR 8056, Mar. 28, 1973, as amended at 78 FR 5124, Jan. 24, 2013]

PART 1203b—SECURITY PROGRAMS; ARREST AUTHORITY AND USE OF FORCE BY NASA SECURITY FORCE PERSONNEL

Sec.

- 1203b.100 Purpose.
- 1203b.101 Scope.
- 1203b.102 Definitions.
- 1203b.103 Arrest authority.
- 1203b.104 Exercise of arrest authority—general guidelines.
- 1203b.105 Use of non-deadly physical force when making an arrest.
- 1203b.106 Use of deadly force.
- 1203b.107 Use of firearms.
- 1203b.108 Management oversight.
- 1203b.109 Disclaimer.

AUTHORITY: The National and Commercial Space Program (51 U.S.C.). Sections 20132 and 20133 *et seq.*

SOURCE: 57 FR 4926, Feb. 11, 1992, unless otherwise noted.

§ 1203b.100 Purpose.

This regulation implements 51 U.S.C. National and Commercial Space Programs, sections 20133 and 20134, by establishing guidelines for the exercise of arrest authority and for the exercise of physical force, including deadly force, in conjunction with such authority.

[57 FR 4926, Feb. 11, 1992, as amended at 78 FR 5124, Jan. 24, 2013]

§ 1203b.101 Scope.

This part applies to only those NASA and NASA contractor security force personnel who are authorized to exercise arrest authority in accordance with 51 U.S.C. 20134 and this regulation.

[57 FR 4926, Feb. 11, 1992, as amended at 78 FR 5124, Jan. 24, 2013]

§ 1203b.102 Definitions.

Accredited Course of Training. A course of instruction offered by the NASA Protective Services Training

Academy, or an equivalent course of instruction offered by another Federal agency. See §1203b.103(a)(1).

Arrest. An act, resulting in the restriction of a person's movement, other than a brief detention for purposes of questioning concerning a person's identity and requesting identification, accomplished by means of force or show of authority under circumstances that would lead a reasonable person to believe that he/she was not free to leave the presence of the officer.

Contractor. NASA contractors and subcontractors at all levels.

[57 FR 4926, Feb. 11, 1992, as amended at 78 FR 5125, Jan. 24, 2013]

§ 1203b.103 Arrest authority.

(a) NASA security force personnel may exercise arrest authority, provided that:

(1) They have graduated from an accredited training course (see §1203b.102(a)); and

(2) They have been certified in writing by the Assistant Administrator for Protective Services, or designee, as specifically authorized to exercise arrest authority.

(b) The authority of NASA security force personnel to make a warrantless arrest is subject to the following conditions:

(1) The arresting officer must be guarding and protecting property owned or leased by, or under the control of, the United States under the administration and control of NASA or one of its contractors or subcontractors, at facilities owned by or contracted to NASA; and

(2) The person to be arrested has committed in the arresting officer's presence an offense against the United States Government, NASA, or a NASA contractor; or

(3) The arresting officer has reasonable grounds to believe that the person to be arrested has committed or is committing any felony cognizable under the laws of the United States.

(c) The Office of the General Counsel, NASA Headquarters, or the Center Chief Counsel's Office, as appropriate, shall provide guidance as to the applicability of these regulations.

[57 FR 4926, Feb. 11, 1992, as amended at 78 FR 5125, Jan. 24, 2013]