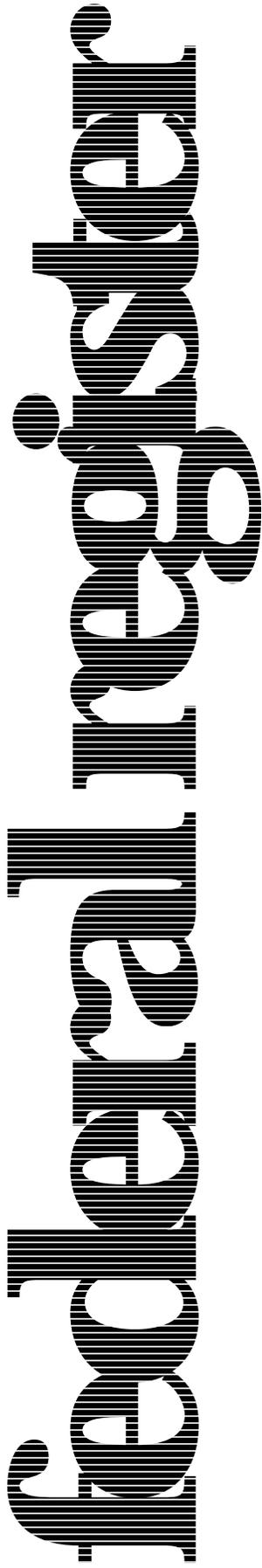


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Monday  
May 8, 1995



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Part XXVII

**National Aeronautics  
and Space  
Administration**

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Semiannual Regulatory Agenda

**NATIONAL AERONAUTICS AND SPACE ADMINISTRATION (NASA)**

**NATIONAL AERONAUTICS AND SPACE ADMINISTRATION**

**14 CFR Ch. V**

**Regulatory Agenda**

**AGENCY:** National Aeronautics and Space Administration (NASA).

**ACTION:** Semiannual agenda of regulations.

**SUMMARY:** NASA's regulatory agenda describes those regulations being considered for development or amendment by NASA, the need and

legal basis for the actions being considered, the name and telephone number of a knowledgeable official, whether a regulatory analysis is required, and the status of regulations previously reported.

**ADDRESSES:** Director, Resources and Management Controls Office (Code JM), Office of Management Systems and Facilities, NASA Headquarters, Washington, DC 20546.

**FOR FURTHER INFORMATION CONTACT:** Margaret M. Herring, (202) 358-2264.

**SUPPLEMENTARY INFORMATION:** OMB guidelines dated December 21, 1994,

"April 1995 Unified Agenda of Federal Regulations," Executive Order 12866 "Regulatory Planning and Review," and NASA Management Instruction 1410.10 "Federal Register: Delegation of Authority and Requirements for Publication of NASA Documents" require a regulatory agenda of those regulations under development and review be published in the **Federal Register** each April and October.

**Dated:** February 21, 1995.

**Timothy M. Sullivan,**  
*Director, Resources and Management Controls Office.*

**Proposed Rule Stage**

Sequence Number	Title	Regulation Identifier Number
4074	NASA Research Grant Handbook Directive 93-1 .....	2700-AB30
4075	Crime Control for Child Care Programs .....	2700-AB49
4076	Assignment of Copyright in Software .....	2700-AB72
4077	NASA FAR Supplement Rewrite .....	2700-AB86
4078	Deviation to FAR clause 52.232-12, Advance Payment, That Will Amend the Language in Alternate V to the Clause .....	2700-AB87
4079	Electronic Funds Transfer .....	2700-AB88
4080	Allowability of Facilities Capital Cost of Money (FCCM) for Educational and Nonprofits .....	2700-AB89
4081	Termination Liability .....	2700-AB90
4082	Minor Clarifying Changes to Existing Award Fee Coverage .....	2700-AB92
4083	Revisions to Existing Coverage on Contract Audit Followup Procedures .....	2700-AB93
4084	Contract Adjustment Board .....	2700-AB98
4085	Cooperative Agreements for Profit-Making Organizations .....	2700-AC07

**Final Rule Stage**

Sequence Number	Title	Regulation Identifier Number
4086	Tracking and Data Relay Satellite System (TDRSS); Use and Reimbursement Policy for Non-U.S. Government Users .....	2700-AA29
4087	Uniform Administrative Requirements for Grants and Cooperative Agreements .....	2700-AA95
4088	New Restrictions on Lobbying .....	2700-AB06
4089	NASA FAR Supplement Coverage on Uncompensated Overtime .....	2700-AB40
4090	Increasing Contractor Liability .....	2700-AB41
4091	Procedures for NASA Drug Testing and Alcohol Testing Programs .....	2700-AB46
4092	Cross-Waiver of Liability .....	2700-AB51
4093	Mentor-Protege Program .....	2700-AB52
4094	Procurement Plan Contents Regarding Strategies To Encourage Cost Realism .....	2700-AB53
4095	Restrictions on Printing and Duplication by Contractors .....	2700-AB58
4096	Drug and Alcohol Testing for Contractor Employees .....	2700-AB68
4097	Statement of Organization and General Information .....	2700-AB71
4098	Deviation from FAR 31.205-18 .....	2700-AB78
4099	NASA FAR Supplement; Contractor Cost Reporting .....	2700-AB79
4100	NASA FAR Supplement; Undefined Contract Action .....	2700-AB80
4101	Revision to NASA FAR Supplement Coverage on Precontract Costs .....	2700-AB82
4102	NASA FAR Supplement Directive (NFSD) 89-18 .....	2700-AB83
4103	NASA FAR Supplement Directive (NFSD) 89-19 .....	2700-AB84
4104	NASA FAR Supplement Directive (NFSD) 89-20 .....	2700-AB85
4105	Increased Signature Levels for Approvals .....	2700-AB91
4106	Contracting and Subcontracting Policies and Procedures To Achieve Goals for Small Disadvantaged Businesses ..	2700-AB94

**NASA**

Final Rule Stage (Continued)

Sequence Number	Title	Regulation Identifier Number
4107	Changes to NASA Grant Regulations To (1) Add Educational Grants and (2) Change Threshold for Incremental Funding .....	2700-AB95
4108	Quality Assurance .....	2700-AB97
4109	Nonprocurement Debarment and Suspension To Achieve Reciprocity With Procurement .....	2700-AB99
4110	Equal Access to Justice Act in Agency Proceedings .....	2700-AC00
4111	NASA Research Grant Handbook, Inventory Listings; Reporting Period and Due Date .....	2700-AC03
4112	NASA Federal Acquisition Regulation (FAR) Supplement, Government-Owned/Contractor-Held Property; Reporting Period and Due Date .....	2700-AC04
4113	Nonprocurement Debarment and Suspension .....	2700-AC06
4114	Delegation of Authority for Foreign Contracts .....	2700-AC08
4115	Use of NASA Airfield Facilities by Aircraft Not Operated for the Benefit of the Federal Government .....	2700-AC09

Completed/Longterm Actions

Sequence Number	Title	Regulation Identifier Number
4116	Indemnification .....	2700-AB12
4117	NASA FAR Supplement Directive (NFSD) 89-16 .....	2700-AB37
4118	NASA FAR Supplement Directive (NFSD) 89-17 .....	2700-AB38
4119	NASA Supplemental Standards of Ethical Conduct Regulations Jointly Issued With the Office of Government Ethics .....	2700-AB44
4120	Standards of Conduct Subpart H—Post-Employment Regulations .....	2700-AB48
4121	Expedited Implementation of the North American Free Trade Agreement; NASA FAR Supplement Synopsizing Requirements .....	2700-AB56
4122	Acquisition Regulation; Addition of Coverage to the NASA FAR Supplement on Providing Facilities to Contractors .	2700-AB76
4123	Revision to NASA FAR Supplement Coverage on Pension Portability .....	2700-AB77
4124	NASA FAR Supplement: Procurement Plans, Instructions for Technical Proposals and Business Management Proposals, and Contents of the Prenegotiation Position Memorandum .....	2700-AB81
4125	Assignment of Copyright in Software .....	2700-AB96
4126	Revision to NASA FAR Supplement Coverage on Set-Asides for Small Business .....	2700-AC01
4127	Corrections and Clarification to NASA FAR Supplement Coverage on Disallowance of Costs .....	2700-AC02
4128	Modification of Test of MidRange Procurement Procedures .....	2700-AC05

**NATIONAL AERONAUTICS AND SPACE ADMINISTRATION (NASA)**

**Proposed Rule Stage**

**4074. NASA RESEARCH GRANT HANDBOOK DIRECTIVE 93-1**

**Legal Authority:** 31 USC 6301 et seq  
**CFR Citation:** 14 CFR 1260

**Legal Deadline:** None

**Abstract:** Miscellaneous changes to the NASA Research Grant Handbook.

**Timetable:**

Action	Date	FR Cite
NPRM	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Tom Dussault, Office of Procurement, Code HK, National Aeronautics and Space Administration,

NASA Headquarters, Washington, DC 20546, **202 358-0463**

**RIN:** 2700-AB30

**4075. CRIME CONTROL FOR CHILD CARE PROGRAMS**

**Legal Authority:** 42 USC 13041

**CFR Citation:** 14 CFR 1231

**Legal Deadline:** None

**Abstract:** This regulation establishes NASA policy and requirements for the development and implementation of child care with respect to safety measures for child care facilities, and screening current and prospective Federal civil servant and non-civil

servant child care workers who will provide child care services at NASA-sponsored child care centers.

**Timetable:**

Action	Date	FR Cite
NPRM	00/00/00	

**Small Entities Affected:** Businesses

**Government Levels Affected:** State

**Agency Contact:** Joan S. Peterson, Chief, Agency Personnel Policy, Office of Human Resources and Education, National Aeronautics and Space Administration, 300 E Street SW., NASA Headquarters, Washington, DC 20546, **202 358-1216**

**RIN:** 2700-AB49

NASA

Proposed Rule Stage

**4076. ASSIGNMENT OF COPYRIGHT IN SOFTWARE**

**Legal Authority:** 42 USC 2473(c)(1)

**CFR Citation:** 48 CFR 1827; 48 CFR 1852

**Legal Deadline:** None

**Abstract:** FAR clause 52.227-14, Rights in Data - General, as modified by the NASA FAR Supplement, allows contractors to establish copyright in software developed under the contract, provided they obtain the Contracting Officer's permission. However, if a contractor refuses to establish a copyright, or NASA wants copyright to be established in favor of the Government, there is no mechanism to require the contractor to assign to NASA the right to establish a copyright. This proposed revision will provide authority to require such assignments. This authority is the same as in FAR clause 52.227-17, Rights in Data - Special Works, which applies to acquisitions where data is the main deliverable; it lacks many elements necessary in contracts involving a mix of deliverables. The proposed revision will result in a clause that more appropriately addresses the Government's needs in acquisitions involving mixed deliverables. There is no impact on contractors, because under existing terms, contractors cannot establish a copyright in their own name without the Government's permission.

**Timetable:**

Action	Date	FR Cite
NPRM	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Procurement:** This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

**Agency Contact:** David K. Beck, Procurement Analyst, National Aeronautics and Space Administration, Code HP, NASA Headquarters, Washington, DC 20546, **202 358-0482**

**RIN:** 2700-AB72

**4077. NASA FAR SUPPLEMENT REWRITE**

**Legal Authority:** 42 USC 2473(c)(1)

**CFR Citation:** 48 CFR 18

**Legal Deadline:** None

**Abstract:** The current edition of the NASA FAR Supplement (NFS) was issued in 1989. The NFS will be reviewed in its entirety in order to consider recommendations of the National Performance Review. The schedule for reviewing the NFS will take into account the schedule for rewriting the Federal Acquisition Regulation.

**Timetable:**

Action	Date	FR Cite
NPRM	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Procurement:** This is a procurement-related action for which there is no statutory requirement. The agency has not yet determined whether there is a paperwork burden associated with this action.

**Agency Contact:** David K. Beck, Procurement Analyst, National Aeronautics and Space Administration, NASA Headquarters, Code HP, Washington, DC 20546, **202 358-0482**

**RIN:** 2700-AB86

**4078. DEVIATION TO FAR CLAUSE 52.232-12, ADVANCE PAYMENT, THAT WILL AMEND THE LANGUAGE IN ALTERNATE V TO THE CLAUSE**

**Legal Authority:** 42 USC 273(c)(1)

**CFR Citation:** 48 CFR 1832; 48 CFR 1852

**Legal Deadline:** None

**Abstract:** Advance payments are frequently authorized for educational institutions and nonprofit organizations that do not have the financial resources to perform contracts, grants or cooperative agreements. The existing paragraph (b) of Alternate V to FAR clause 52.232-12 limits contractors' use of advance payments to direct materials, indirect labor and indirect costs. This is overly restrictive and imposes an unreasonable financial burden on contractors for otherwise allowable, allocable and reasonable costs that do not fall in those categories.

**Timetable:**

Action	Date	FR Cite
NPRM	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Procurement:** This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

**Agency Contact:** Joseph Le Cren, Procurement Analyst, National Aeronautics and Space Administration, NASA Headquarters, Code HC, Washington, DC 20546, **202 358-0444**

**RIN:** 2700-AB87

**4079. ELECTRONIC FUNDS TRANSFER**

**Legal Authority:** 42 USC 2473(c)(1)

**CFR Citation:** 48 CFR 1832; 48 CFR 1852

**Legal Deadline:** None

**Abstract:** The Department of Treasury has issued policy that prescribes the use of Electronic Funds Transfer (EFT) as the principal method for the collection, deposit, and disbursement of funds. As such, FAR Clause 52.232-12 has been modified to provide for the use of EFT, for the collection and deposit of funds for Advance Payments. Consequently, NFS Clause 18-52.232-12, Advance Payments, is revised to allow the use of EFT. Exceptions must be concurred in by the Financial Manager.

**Timetable:**

Action	Date	FR Cite
NPRM	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Procurement:** This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

**Agency Contact:** Joseph Le Cren, Procurement Analyst, National Aeronautics and Space Administration, NASA Headquarters, Code HC, Washington, DC 20546, **202 358-0444**

**RIN:** 2700-AB88

**4080. ALLOWABILITY OF FACILITIES CAPITAL COST OF MONEY (FCCM) FOR EDUCATIONALS AND NONPROFITS**

**Legal Authority:** 42 USC 2473(c)(1)

**CFR Citation:** 48 CFR 1815; 48 CFR 1831

## NASA

## Proposed Rule Stage

**Legal Deadline:** None

**Abstract:** The OMB Circulars A-21, "Cost Principles for Educational Institutions" and A-122, "Cost Principles for Nonprofit Organizations," are silent on the allowability of FCCM for educational institutions and nonprofit organizations. NASA currently does not have a policy on this issue. This lack of guidance has resulted in contracting officials' making individual determinations as to whether FCCM is included in chief negotiation objectives. A consistent NASA position on this subject would be of benefit to the affected educationals and nonprofits.

**Timetable:**

Action	Date	FR Cite
NPRM	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Procurement:** This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

**Agency Contact:** Anne Guenther, Procurement Analyst, National Aeronautics and Space Administration, NASA Headquarters, Code HC, Washington, DC 20546, **202 358-0447**

**RIN:** 2700-AB89

**4081. TERMINATION LIABILITY**

**Legal Authority:** 42 USC 2473(c)(1)

**CFR Citation:** 48 CFR 1852

**Legal Deadline:** None

**Abstract:** Adequate funding is not always provided to cover potential termination liability. With the increasing likelihood of programs being canceled due to the lack of funds, this has caused concern on the part of contractors and contracting officers. To handle this situation, a special termination cost clause is being considered.

**Timetable:**

Action	Date	FR Cite
NPRM	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Procurement:** This is a procurement-related action for which there is no statutory requirement. There is no

paperwork burden associated with this action.

**Agency Contact:** Joseph Le Cren, Procurement Analyst, National Aeronautics and Space Administration, NASA Headquarters, Code HC, Washington, DC 20546, **202 358-0444**

**RIN:** 2700-AB90

**4082. MINOR CLARIFYING CHANGES TO EXISTING AWARD FEE COVERAGE**

**Legal Authority:** 42 USC 2473(c)(1)

**CFR Citation:** 48 CFR 1816

**Legal Deadline:** None

**Abstract:** NASA's revised award fee policy was implemented in October 1993. NASA procurement personnel have recommended minor changes to the policy to address problems that they have encountered. The changes will improve the effectiveness of the policy.

**Timetable:**

Action	Date	FR Cite
NPRM	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Procurement:** This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

**Agency Contact:** Anne Guenther, Procurement Analyst, National Aeronautics and Space Administration, NASA Headquarters, Code HC, Washington, DC 20546, **202 358-0447**

**RIN:** 2700-AB92

**4083. REVISIONS TO EXISTING COVERAGE ON CONTRACT AUDIT FOLLOWUP PROCEDURES**

**Legal Authority:** 42 USC 2473(c)(1)

**CFR Citation:** 48 CFR 1842

**Legal Deadline:** None

**Abstract:** NASA's audit tracking and resolution system does not cover audits resulting from OMB Circulars A-133, "Audits of Institutions of Higher Learning and Other Non-Profit Institutions," and A-128, "Audits of State and Local Governments.:" Although to date there have not been any reportable audits resulting from those Circulars, guidance is necessary

to ensure all reportable audits are tracked and their findings resolved.

**Timetable:**

Action	Date	FR Cite
NPRM	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Procurement:** This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

**Agency Contact:** Joseph Le Cren, Procurement Analyst, National Aeronautics and Space Administration, NASA Headquarters, Code HC, Washington, DC 20546, **202 358-0444**

**RIN:** 2700-AB93

**4084. CONTRACT ADJUSTMENT BOARD**

**Legal Authority:** 42 USC 2473(c)(1); PL 85-804

**CFR Citation:** 14 CFR 1209

**Legal Deadline:** None

**Abstract:** Minor revisions to eliminate unnecessary and duplicative regulations governing the processing and review of actions considered by NASA's Contract Adjustment Board.

**Timetable:** Next Action Undetermined

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Pamela J. Werner, Senior Attorney, National Aeronautics and Space Administration, NASA Headquarters, Office of General Counsel, Washington, DC 20546, **202 358-2085**

**RIN:** 2700-AB98

**4085. • COOPERATIVE AGREEMENTS FOR PROFIT-MAKING ORGANIZATIONS**

**Legal Authority:** 42 USC 2473(c)(1)

**CFR Citation:** Not yet determined

**Legal Deadline:** None

**Abstract:** NASA is developing policies for awarding cooperative agreements to profit-making organizations. Cooperative agreements will be used as a means of transferring NASA technology to American businesses.

**NASA**

**Proposed Rule Stage**

**Timetable:**

Action	Date	FR Cite
NPRM	00/00/00	

**Small Entities Affected:** None  
**Government Levels Affected:** None  
**Agency Contact:** Tom Deback, Procurement Analyst, National

Aeronautics and Space Administration, NASA Headquarters, Code HK, Washington, DC 20546, **202 358-0431**  
**RIN:** 2700-AC07

**NATIONAL AERONAUTICS AND SPACE ADMINISTRATION (NASA)**

**Final Rule Stage**

**4086. TRACKING AND DATA RELAY SATELLITE SYSTEM (TDRSS); USE AND REIMBURSEMENT POLICY FOR NON-U.S. GOVERNMENT USERS**

**Legal Authority:** PL 85-568 Sec 203; 42 USC 2473

**CFR Citation:** 14 CFR 1215

**Legal Deadline:** None

**Abstract:** Annual revision of appendix A to reflect each Calendar Year rate change for TDRSS services.

**Timetable:**

Action	Date	FR Cite
Final Action for CY 1993 Rate Change	05/15/92	57 FR 20746
Final Action for CY 1994 Rate Change	09/28/93	58 FR 50515
Final Action for CY 1995 Rate Change	10/31/94	59 FR 54385
Final Action FOR CY 1996 Rate Change	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Eugene Ferrick, Office of Space Communications, Code OX, National Aeronautics and Space Administration, NASA Headquarters, Washington, DC 20546, **202 358-2030**

**RIN:** 2700-AA29

**4087. UNIFORM ADMINISTRATIVE REQUIREMENTS FOR GRANTS AND COOPERATIVE AGREEMENTS**

**Legal Authority:** PL 97-258; 31 USC 6301 et seq

**CFR Citation:** 14 CFR 1270

**Legal Deadline:** None

**Abstract:** Rule for grants administration replacing NASA implementation of OMB Circular A-110.

**Timetable:**

Action	Date	FR Cite
NPRM	11/04/88	53 FR 214
Begin Review	04/01/91	
Second NPRM	00/00/00	
Final Action	00/00/00	

**Small Entities Affected:** None  
**Government Levels Affected:** State, Local

**Agency Contact:** Tom O'Toole, Code HP, Office of Procurement, National Aeronautics and Space Administration, NASA Headquarters, Washington, DC 20546, **202 358-0478**

**RIN:** 2700-AA95

**4088. NEW RESTRICTIONS ON LOBBYING**

**Legal Authority:** 31 USC 1352; PL 101-121, Sec 319; 31 USC 9301; PL 97-258

**CFR Citation:** 14 CFR 1271

**Legal Deadline:** None

**Abstract:** This interim rule is in response to section 319 of Public Law 101-121. Section 319 generally prohibits recipients of Federal contracts, grants, and loans from using appropriated funds for lobbying the executive and legislative branches of the Federal Government in connection with a specific contract, grant, or loan. Section 319 also requires that each person who requests or receives a Federal contract, grant, cooperative agreement, loan, or a Federal commitment to insure or guarantee a loan, must disclose lobbying.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	02/26/90	55 FR 6748
Next Action Undetermined		

**Small Entities Affected:** None

**Government Levels Affected:** State, Local

**Procurement:** This is a procurement-related action for which there is no statutory requirement. There is a paperwork burden associated with this action.

**Agency Contact:** David K. Beck, Code HP, Office of Procurement, National Aeronautics and Space Administration,

NASA Headquarters, Washington, DC 20546, **202 358-0482**  
**RIN:** 2700-AB06

**4089. NASA FAR SUPPLEMENT COVERAGE ON UNCOMPENSATED OVERTIME**

**Legal Authority:** 42 USC 24732(c)(1)

**CFR Citation:** 48 CFR 18

**Legal Deadline:** None

**Abstract:** NASA FAR Supplement coverage provides guidance on uncompensated overtime.

**Timetable:**

Action	Date	FR Cite
NPRM	03/02/94	59 FR 9951
Final Action	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Procurement:** This is a procurement-related action for which there is no statutory requirement. There is a paperwork burden associated with this action.

**Agency Contact:** William Childs, Code HC, Office of Procurement, National Aeronautics and Space Administration, NASA Headquarters, Washington, DC 20546, **202 358-0454**

**RIN:** 2700-AB40

**4090. INCREASING CONTRACTOR LIABILITY**

**Legal Authority:** 42 USC 2473(c)(1)

**CFR Citation:** 48 CFR 18

**Legal Deadline:** None

**Abstract:** The proposed clause increases contractor liability under cost type contracts beyond the current level of liability--cases involving fraud, willful misconduct, or lack of good faith on the part of management.

**Timetable:**

Action	Date	FR Cite
NPRM	02/17/94	59 FR 7966
Final Action	00/00/00	

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## Final Rule Stage

**Small Entities Affected:** None

**Government Levels Affected:** None

**Procurement:** This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

**Agency Contact:** David K. Beck, Code HP, Office of Procurement, National Aeronautics and Space Administration, NASA Headquarters, Washington, DC 20546, **202 358-0482**

**RIN:** 2700-AB41

#### 4091. PROCEDURES FOR NASA DRUG TESTING AND ALCOHOL TESTING PROGRAMS

**Legal Authority:** 42 USC 2473; EO 12564; 5 USC 552(a)

**CFR Citation:** 14 CFR 1272 (New)

**Legal Deadline:** None

**Abstract:** This regulation proposes to implement the Civil Space Employee Testing Act of 1991 which requires NASA to establish an employee alcohol testing program and changes the employee drug testing program to include preemployment testing and split sample collection method.

**Timetable:**

Action	Date	FR Cite
NPRM	07/06/93	58 FR 36159
Final Action	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** Joan S. Peterson, Chief, Agency Personnel Policy, Code FPP, National Aeronautics and Space Administration, NASA Headquarters, 300 E Street, SW., Washington, DC 20546, **202 358-1216**

**RIN:** 2700-AB46

#### 4092. CROSS-WAIVER OF LIABILITY

**Legal Authority:** 42 USC 2473(c)(1); 42 USC 2473(c)(5)

**CFR Citation:** 14 CFR 1266

**Legal Deadline:** None

**Abstract:** Technical amendments to refine and clarify the contractual cross-waiver of liability in NASA agreements involving launch services.

**Timetable:**

Action	Date	FR Cite
Final Action	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Jay Steptoe, Deputy Assoc. General Counsel, National Aeronautics and Space Administration, Office of General Counsel, Code G, Washington, DC 20546, **202 358-2432**

**RIN:** 2700-AB51

#### 4093. MENTOR-PROTEGE PROGRAM

**Legal Authority:** 42 USC 2473(c)(1)

**CFR Citation:** 48 CFR 1819; 48 CFR 1852

**Legal Deadline:** None

**Abstract:** This rule adds policy on NASA's Mentor-Protege Program which provides developmental assistance to small disadvantaged business concerns.

**Timetable:**

Action	Date	FR Cite
NPRM	02/09/94	59 FR 5974
Final Action	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Procurement:** This is a procurement-related action for which there is no statutory requirement. There is a paperwork burden associated with this action.

**Agency Contact:** Deborah O'Neill, Procurement Analyst, National Aeronautics and Space Administration, Office of Procurement, Code HP, NASA Headquarters, Washington, DC 20546, **202 358-0440**

**RIN:** 2700-AB52

#### 4094. PROCUREMENT PLAN CONTENTS REGARDING STRATEGIES TO ENCOURAGE COST REALISM

**Legal Authority:** 42 USC 2473(c)(1)

**CFR Citation:** 48 CFR 1807

**Legal Deadline:** None

**Abstract:** This rule addresses a problem that sometimes occurs where cost is a significant selection factor; some offerors try to gain selection over others by submitting cost proposals that are unrealistically low. This results in NASA making probable cost adjustments to the offeror's proposal based on assumptions that may or may not be correct. Subsequently, selected proposals are negotiated upward based on the cost adjustments or cost overruns are experienced on the

ensuing contracts. To promote cost realism, the rule adds a new requirement that NASA contracting officers discuss the following factors as part of procurement plans that are submitted to NASA Headquarters for approval: (1) How the offeror will be advised of the importance of cost realism (e.g., address cost realism in solicitation provisions); (2) How cost realism will factor into the evaluation and selection decision (e.g., include cost realism in evaluation factors and evaluation plan (reduce mission suitability scores); and (3) How cost realism will be monitored and how incentives will be offered through contract provisions.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	03/10/94	59 FR 11200
Final Action	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Procurement:** This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

**Agency Contact:** Deborah O'Neill, Procurement Analyst, National Aeronautics and Space Administration, Office of Procurement, Code HP, NASA Headquarters, Washington, DC 20546, **202 358-0440**

**RIN:** 2700-AB53

#### 4095. RESTRICTIONS ON PRINTING AND DUPLICATION BY CONTRACTORS

**Legal Authority:** 42 USC 2473(c)(1); PL 102-392

**CFR Citation:** 48 CFR 1808; 48 CFR 1852

**Legal Deadline:** Final, Statutory, October 1, 1992.

**Abstract:** The NASA FAR Supplement (NFS) clause on restrictions on printing and duplicating is revised to clarify the terms used and specific restrictions.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	09/08/93	58 FR 47219
Final Action	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Procurement:** This is a procurement-related action for which there is a

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statutory requirement. There is no paperwork burden associated with this action.

**Agency Contact:** Thomas L. Deback, Procurement Analyst, National Aeronautics and Space Administration, Office of Procurement, Code HK, NASA Headquarters, Washington, DC 20546, **202 358-0431**

**RIN:** 2700-AB58

#### 4096. DRUG AND ALCOHOL TESTING FOR CONTRACTOR EMPLOYEES

**Legal Authority:** PL 102-195

**CFR Citation:** 48 CFR 1823; 48 CFR 1852

**Legal Deadline:** NPRM, Statutory, June 9, 1993. Final, Statutory, June 9, 1993.

**Abstract:** Requires drug and alcohol testing for contractor employees affecting safety, security, national security, or functions other than the foregoing requiring a high degree of trust and confidence.

##### Timetable:

Action	Date	FR Cite
NPRM	07/13/93	58 FR 37697
NPRM Comment Period End	09/13/93	
Final Action	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Procurement:** This is a procurement-related action for which there is a statutory requirement. There is a paperwork burden associated with this action.

**Agency Contact:** David S. Sudduth, Procurement Analyst, National Aeronautics and Space Administration, Office of Procurement, Code HP, NASA Headquarters, Washington, DC 20546, **202 358-0485**

**RIN:** 2700-AB68

#### 4097. STATEMENT OF ORGANIZATION AND GENERAL INFORMATION

**Legal Authority:** 5 USC 552; 42 USC 2451

**CFR Citation:** 14 CFR 1201

**Legal Deadline:** None

**Abstract:** This regulation sets forth NASA's purpose and functions as established by the National Aeronautics and Space Act of 1958, as amended.

This action revises NASA's organizational structure which includes descriptions of the organizations and functions of NASA's Program Offices and Field Installations.

##### Timetable:

Action	Date	FR Cite
Final Action	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Margaret M. Herring, Manager, Directives and Federal Regulations, National Aeronautics and Space Administration, NASA Headquarters, Code JMS, Washington, DC 20546, **202 358-2264**

**RIN:** 2700-AB71

#### 4098. DEVIATION FROM FAR 31.205-18

**Legal Authority:** 42 USC 2473(c)(1)

**CFR Citation:** 48 CFR 1816; 48 CFR 1831; 48 CFR 1852

**Legal Deadline:** None

**Abstract:** This rule provides a class deviation from the cost principle on independent research and development (IR&D). This class deviation will permit the costs of IR&D effort incurred under a cooperative arrangement with NASA, that otherwise would have been allowed as IR&D had there been no cooperative arrangement, to be used as the contractor's contribution under the arrangement and to be recoverable as indirect costs. The intended effect of this deviation will be to allow NASA to increase its technology transfer efforts and eliminate barriers to technology development as recommended by the President's National Performance Review.

##### Timetable:

Action	Date	FR Cite
Interim Final Rule	05/02/94	59 FR 22521
Interim Final Rule	06/10/94	59 FR 29963
Final Action	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Procurement:** This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

**Agency Contact:** Joseph Le Cren, Procurement Analyst, National Aeronautics and Space Administration,

NASA Headquarters, Code HC, Washington, DC 20546, **202 358-0444**

**RIN:** 2700-AB78

#### 4099. NASA FAR SUPPLEMENT; CONTRACTOR COST REPORTING

**Legal Authority:** 42 USC 2473(c)(1)

**CFR Citation:** 48 CFR 1804; 48 CFR 1842; 48 CFR 1852

**Legal Deadline:** None

**Abstract:** Until now, the NFS has had only a prescription for use of the cost reporting (NASA Form 533 series) clauses, with no policy guidance. Also, the prescriptions' dollar thresholds for use of the clauses are stated only by reference to a NASA Management Instruction (NMI), thus requiring the reader to find and use the NMI in order to determine when the clauses are required. This change provides the thresholds and adds some guidance regarding the contracting officer's duties, allowable changes, and deviation approval authority. There is also some minor clarification in the wording of the clauses, and the coverage is relocated to a more appropriate subpart.

##### Timetable:

Action	Date	FR Cite
Interim Final Rule	05/09/94	59 FR 23800
Final Action	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Procurement:** This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

**Agency Contact:** William T. Childs, Procurement Analyst, National Aeronautics and Space Administration, NASA Headquarters, Code HP, Washington, DC 20546, **202 358-0454**

**RIN:** 2700-AB79

#### 4100. NASA FAR SUPPLEMENT; UNDEFINITIZED CONTRACT ACTION

**Legal Authority:** 42 USC 2473(c)(1)

**CFR Citation:** 48 CFR 1843

**Legal Deadline:** None

**Abstract:** NASA contracting activities are instructed that contract modifications and task orders generally must be fully negotiated and priced ("definitized") prior to issuance. If

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circumstances require issuance prior to definitization, actions with an estimated cost over \$1,000,000 must be approved by the head of the contracting activity, except that for actions under Space Station contracts, the threshold is \$10,000,000 and the approving authority is the Headquarters official responsible for the Space Station program. These approval levels cannot be delegated. Undefined actions should be issued as bilateral agreements, should contain a cost ceiling for not-to-exceed price, and should be definitized within 180 days. Certain exceptions apply.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	05/09/94	59 FR 23802
Interim Final Rule	06/10/94	59 FR 29963
Final Action	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Procurement:** This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

**Agency Contact:** William T. Childs, Procurement Analyst, National Aeronautics and Space Administration, NASA Headquarters, Code HP, Washington, DC 20546, **202 358-0454**

**RIN:** 2700-AB80

#### 4101. REVISION TO NASA FAR SUPPLEMENT COVERAGE ON PRECONTRACT COSTS

**Legal Authority:** 42 USC 2473(c)(1)

**CFR Citation:** 48 CFR 1831; 48 CFR 1852

**Legal Deadline:** None

**Abstract:** This rule proposes to amend the regulations pertaining to precontract costs to specify the content of letters to contractors which authorize the incurrence of precontract costs, make clear the circumstances when precontract costs would be appropriate, and clarify that precontract costs are not allowable unless the clause "Precontract Costs" is included in the contract. In addition, the proposed rule revises the prescription for the clause to allow its use in other than cost-reimbursement contracts. Also, the rule proposes to change the title of that clause from "Date of Incurrence of Costs" to "Precontract Costs" to more accurately reflect its purpose.

**Timetable:**

Action	Date	FR Cite
NPRM	06/28/94	59 FR 33254
Final Action	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Procurement:** This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

**Agency Contact:** Joseph Le Cren, Procurement Analyst, National Aeronautics and Space Administration, NASA Headquarters, Code HC, Washington, DC 20546, **202 358-0444**

**RIN:** 2700-AB82

#### 4102. NASA FAR SUPPLEMENT DIRECTIVE (NFSD) 89-18

**Legal Authority:** 42 USC 2473(c)(1)

**CFR Citation:** 48 CFR 18

**Legal Deadline:** None

**Abstract:** Miscellaneous quarterly intra-agency changes to the NASA FAR Supplement, exclusive of actions requiring public review and comment or imposing paperwork burdens which were not previously published as proposed rules in the Federal Register.

**Timetable:**

Action	Date	FR Cite
Final Action	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Procurement:** This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

**Agency Contact:** David K. Beck, Procurement Analyst, National Aeronautics and Space Administration, NASA Headquarters, Code HP, Washington, DC 20546, **202 358-0482**

**RIN:** 2700-AB83

#### 4103. NASA FAR SUPPLEMENT DIRECTIVE (NFSD) 89-19

**Legal Authority:** 42 USC 2473(c)(1)

**CFR Citation:** 48 CFR 18

**Legal Deadline:** None

**Abstract:** Miscellaneous quarterly intra-agency changes to the NASA FAR

Supplement, exclusive of actions requiring public review and comment or imposing paperwork burdens which were not previously published as proposed rules in the Federal Register.

**Timetable:**

Action	Date	FR Cite
Final Action	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Procurement:** This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

**Agency Contact:** David K. Beck, Procurement Analyst, National Aeronautics and Space Administration, NASA Headquarters, Code HP, Washington, DC 20546, **202 358-0482**

**RIN:** 2700-AB84

#### 4104. NASA FAR SUPPLEMENT DIRECTIVE (NFSD) 89-20

**Legal Authority:** 42 USC 2473(c)(1)

**CFR Citation:** 48 CFR 18

**Legal Deadline:** None

**Abstract:** Miscellaneous quarterly intra-agency changes to the NASA FAR Supplement, exclusive of actions requiring public review and comment or imposing paperwork burdens which were not previously published as proposed rules in the Federal Register.

**Timetable:**

Action	Date	FR Cite
Final Action	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Procurement:** This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

**Agency Contact:** David K. Beck, Procurement Analyst, National Aeronautics and Space Administration, NASA Headquarters, Code HP, Washington, DC 20546, **202 358-0482**

**RIN:** 2700-AB85

#### 4105. INCREASED SIGNATURE LEVELS FOR APPROVALS

**Legal Authority:** 42 USC 2473(c)(1)

**CFR Citation:** 48 CFR 1816; 48 CFR 1831; 48 CFR 1832; 48 CFR 1837

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**Legal Deadline:** None

**Abstract:** There appears to be places in the NASA FAR Supplement where Center requests for approvals, waivers or deviations are forwarded by Code HC to the Associate Administrator for Procurement for approval. Seven of these actions can be granted approval at the Code HC level. In these instances, the Associate Administrator for Procurement would be informed of the actions but would not have to review any of them. Code HC and the Associate Administrator for Procurement have discussed the changes and agreed they should be implemented.

**Timetable:**

Action	Date	FR Cite
Final Action	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Procurement:** This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

**Agency Contact:** Reginald Walker, Procurement Analyst, National Aeronautics and Space Administration, NASA Headquarters, Code HC, Washington, DC 20546, **202 358-0443**  
**RIN:** 2700-AB91

**4106. CONTRACTING AND SUBCONTRACTING POLICIES AND PROCEDURES TO ACHIEVE GOALS FOR SMALL DISADVANTAGED BUSINESSES**

**Legal Authority:** 42 USC 2473(c)(1); PL 101-144; PL 101-507; PL 102-389

**CFR Citation:** 48 CFR 1815; 48 CFR 1819; 48 CFR 1852; 48 CFR 1870

**Legal Deadline:** None

**Abstract:** This action will provide further implementation of certain statutory provisions which establish a goal to make at least eight percent of the funding for prime and subcontracts available to small business concerns or other organizations owned and controlled by socially and economically disadvantaged individuals, including women-owned, Historically Black Colleges and Universities, and other minority educational institutions. The expected benefit will be the integration of these entities into NASA's contractor base.

**Timetable:**

Action	Date	FR Cite
NPRM	10/07/94	59 FR 51154
Final Action	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Procurement:** This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

**Agency Contact:** Deborah O'Neill, Procurement Analyst, National Aeronautics and Space Administration, NASA Headquarters, Code HP, Washington, DC 20546, **202 358-0440**  
**RIN:** 2700-AB94

**4107. CHANGES TO NASA GRANT REGULATIONS TO (1) ADD EDUCATIONAL GRANTS AND (2) CHANGE THRESHOLD FOR INCREMENTAL FUNDING**

**Legal Authority:** PL 97-258; 31 USC 6301 et seq

**CFR Citation:** 14 CFR 1260

**Legal Deadline:** None

**Abstract:** The NASA Research Grant Handbook, NHB 5800.1C, does not currently apply to training grants, does not specifically address education grants, and does not adequately distinguish these types of grants from the research grants generally covered in the Handbook. Education grants will be covered by the Handbook. They may be negotiated and awarded by all Agency grant offices. Training Grants remain outside the scope of the Handbook and will continue to be accomplished by Headquarters. This clarifies a long standing source of confusion regarding the differences between education and training grants and research grants. The NASA Research Grant Handbook currently provides for incremental funding only of grants exceeding \$1 million in annual funding. This rule reduces that amount to \$50,000. The Handbook still requires that only two increments of funds be provided per fiscal year.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	07/18/94	59 FR 36335
Final Action	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Tom O'Toole, Procurement Analyst, National Aeronautics and Space Administration, NASA Headquarters, Code HP, Washington, DC 20546, **202 358-0478**  
**RIN:** 2700-AB95

**4108. QUALITY ASSURANCE**

**Legal Authority:** 42 USC 2473(c)(1)

**CFR Citation:** 48 CFR 1846; 48 CFR 1870

**Legal Deadline:** None

**Abstract:** The Federal Acquisition Regulations (FAR) and the NASA FAR Supplement (NFS) include examples of standards for quality programs for use in assuring the quality of products to be delivered under Government contracts. Most of the examples are standards issued by government agencies. The NFS is modified to add a commercial, national standard: ANSI-ASQC Q9001, Quality Systems - Model for Quality Assurance in Design, Development, Production, Installation, and Servicing.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Procurement:** This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

**Agency Contact:** William T. Childs, Procurement Analyst, National Aeronautics and Space Administration, NASA Headquarters, Code HP, Washington, DC 20546, **202 358-0454**  
**RIN:** 2700-AB97

**4109. • NONPROCUREMENT DEBARMENT AND SUSPENSION TO ACHIEVE RECIPROCITY WITH PROCUREMENT**

**Legal Authority:** 42 USC 2473(c)(1); PL 103-355, sec 2455; EO 12689

**CFR Citation:** 14 CFR 1265

**Legal Deadline:** NPRM, Statutory, May 11, 1995. Final, Statutory, September 8, 1995.

**Abstract:** This proposed revision to the nonprocurement common rule provides for reciprocal governmentwide effect for debarments and suspensions carried

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out under either procurement or nonprocurement regulations. It also provides that for nonprocurement debarments and suspensions, the primary tier recipient would be prohibited from entering into a lower tier covered transaction with a debarred or suspended participant.

**Timetable:**

Action	Date	FR Cite
NPRM	12/20/94	59 FR 65607
NPRM Comment Period End	02/21/95	
Final Action	05/00/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Thomas J. Whelan, Procurement Analyst, National Aeronautics and Space Administration, NASA Headquarters, Code HP, Washington, DC 20546, **202 358-0475**

**RIN:** 2700-AB99

**4110. • EQUAL ACCESS TO JUSTICE ACT IN AGENCY PROCEEDINGS**

**Legal Authority:** 5 USC 504; 42 USC 2473(c)(1)

**CFR Citation:** 14 CFR 1262

**Legal Deadline:** None

**Abstract:** Changes to the existing rule which are administrative in nature only - to update definition due to law's amendment, delete reference to NASA's Board of Contract Appeals, and correct typographical (or printing) errors.

**Timetable:**

Action	Date	FR Cite
Final Action	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Sara Najjar-Wilson, Senior Attorney, National Aeronautics and Space Administration, NASA Headquarters, Code GG, Washington, DC 20546, **202 358-2465**

**RIN:** 2700-AC00

**4111. • NASA RESEARCH GRANT HANDBOOK, INVENTORY LISTINGS; REPORTING PERIOD AND DUE DATE**

**Legal Authority:** 42 USC 2473(c)(1)

**CFR Citation:** 14 CFR 1260

**Legal Deadline:** None

**Abstract:** NASA has revised its Research Grant Handbook to change the

reporting period and report due date for annual equipment inventory listings from June 30 and July 31, respectively, to September 30 and October 31, respectively. This regulation is issued as an interim rule to avoid unnecessary work by grantees to comply with the present reporting requirements and to ensure that new awards reflect the revised requirements.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	08/01/94	59 FR 38900
Final Action	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Tom Dussault, Procurement Analyst, National Aeronautics and Space Administration, NASA Headquarters, Code HK, Washington, DC 20546, **202 358-0463**

**RIN:** 2700-AC03

**4112. • NASA FEDERAL ACQUISITION REGULATION (FAR) SUPPLEMENT, GOVERNMENT-OWNED/CONTRACTOR-HELD PROPERTY; REPORTING PERIOD AND DUE DATE**

**Legal Authority:** 42 USC 2473(c)(1)

**CFR Citation:** 48 CFR 1845; 48 CFR 1852

**Legal Deadline:** None

**Abstract:** NASA has revised the NASA FAR Supplement to change the reporting period and due date for reports of Government-Owned/Contractor-Held property from June 30 and July 31, respectively, to September 30 and October 31, respectively. This regulation is issued as an interim rule to avoid unnecessary work by contractors to comply with the present reporting requirements to ensure that new awards reflect the revised requirements.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	08/01/94	59 FR 38937
Final Action	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Procurement:** This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

**Agency Contact:** Larry G. Pendleton, Procurement Analyst, National Aeronautics and Space Administration, NASA Headquarters, Code HK, Washington, DC 20546, **202 358-0487**

**RIN:** 2700-AC04

**4113. • NONPROCUREMENT DEBARMENT AND SUSPENSION**

**Legal Authority:** PL 103-355; EO 12549; EO 12689

**CFR Citation:** 14 CFR 1265

**Legal Deadline:** NPRM, Statutory, May 11, 1995.

**Abstract:** This proposed revision to the nonprocurement common rule is issued in response to Executive Order 12689 and section 2455 of the Federal Acquisition Streamlining Act of 1994. EO 12689 requires agencies to establish regulations for reciprocal governmentwide effect across procurement and nonprocurement for each agency's debarment and suspension actions, after technical differences between the procurement and nonprocurement regulations governing debarments and suspensions are resolved. Section 2455 provides that the debarment, suspension, or other exclusion of a participant in a procurement activity under the Federal Acquisition Regulation, or in a nonprocurement activity under regulations issued pursuant to EO 12549, shall be given reciprocal governmentwide effect.

**Timetable:**

Action	Date	FR Cite
NPRM	12/20/94	59 FR 65607
NPRM Comment Period End	02/21/95	
Final Action	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Procurement:** This is a procurement-related action for which there is a statutory requirement. There is no paperwork burden associated with this action.

**Agency Contact:** Thomas J. Whelan, Jr., Procurement Analyst, National Aeronautics and Space Administration, NASA Headquarters, Code HP, Washington, DC 20546, **202 358-0475**

**RIN:** 2700-AC06

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**4114. • DELEGATION OF AUTHORITY FOR FOREIGN CONTRACTS**

**Legal Authority:** 42 USC 2473(c)(1)

**CFR Citation:** 48 CFR 1825

**Legal Deadline:** None

**Abstract:** This rule removes an internal requirement in order to allow NASA Centers to award foreign contracts that under the internal requirement would have been awarded by the Headquarters Acquisition Division.

**Timetable:**

Action	Date	FR Cite
Final Action	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Procurement:** This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

**Agency Contact:** Deborah O'Neill, Procurement Analyst, National Aeronautics and Space Administration, NASA Headquarters, Code HK, Washington, DC 20546, **202 358-0440**

**RIN:** 2700-AC08

**4115. • USE OF NASA AIRFIELD FACILITIES BY AIRCRAFT NOT OPERATED FOR THE BENEFIT OF THE FEDERAL GOVERNMENT**

**Legal Authority:** 42 USC 2473(c)(1)

**CFR Citation:** 14 CFR 1204

**Legal Deadline:** None

**Abstract:** This action revises subpart 14 to include Moffett Field Ames Airfield on the list of NASA Airfield Facilities.

**Timetable:**

Action	Date	FR Cite
Final Action	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** David Dingee, Manager, Mission Management Aircraft, National Aeronautics and Space Administration, Code JP, NASA Headquarters, Washington, DC 20546, **202 358-2326**

**RIN:** 2700-AC09

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION (NASA)

Completed/Longterm Actions

**4116. INDEMNIFICATION**

**CFR Citation:** 48 CFR 1828; 48 CFR 1852

**Completed:**

Reason	Date	FR Cite
Final Action	12/21/94	59 FR 65728
Final Action Effective	12/31/94	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Procurement:** This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

**Agency Contact:** David K. Beck, 202 358-0482

**RIN:** 2700-AB12

**Agency Contact:** David K. Beck, 202 358-0482

**RIN:** 2700-AB37

**4118. NASA FAR SUPPLEMENT DIRECTIVE (NFSD) 89-17**

**CFR Citation:** 48 CFR 18

**Completed:**

Reason	Date	FR Cite
Final Action	12/23/94	59 FR 66267
Final Action Effective	12/31/94	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Procurement:** This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

**Agency Contact:** David K. Beck, 202 358-0482

**RIN:** 2700-AB38

**Small Entities Affected:** None

**Government Levels Affected:** Federal

**Agency Contact:** James L. Hoffman, 202 358-2465

**RIN:** 2700-AB44

**4120. STANDARDS OF CONDUCT SUBPART H—POST-EMPLOYMENT REGULATIONS**

**CFR Citation:** 14 CFR 1207; 14 CFR 1207.201; 14 CFR 1207.202

**Completed:**

Reason	Date	FR Cite
Final Action	09/28/94	59 FR 49338
Final Action Effective	09/28/94	

**Small Entities Affected:** None

**Government Levels Affected:** Federal

**Agency Contact:** James Hoffman, 202 358-2465

**RIN:** 2700-AB48

**4117. NASA FAR SUPPLEMENT DIRECTIVE (NFSD) 89-16**

**CFR Citation:** 48 CFR 18

**Completed:**

Reason	Date	FR Cite
Final Action	09/08/94	59 FR 46359
Final Action Effective	09/30/94	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Procurement:** This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

**4119. NASA SUPPLEMENTAL STANDARDS OF ETHICAL CONDUCT REGULATIONS JOINTLY ISSUED WITH THE OFFICE OF GOVERNMENT ETHICS**

**CFR Citation:** 5 CFR 6901

**Completed:**

Reason	Date	FR Cite
Final Action	09/28/94	59 FR 49335
Final Action Effective	09/28/94	

**4121. EXPEDITED IMPLEMENTATION OF THE NORTH AMERICAN FREE TRADE AGREEMENT; NASA FAR SUPPLEMENT SYNOPSISING REQUIREMENTS**

**CFR Citation:** 48 CFR 1805

**Completed:**

Reason	Date	FR Cite
Final Action	12/23/94	59 FR 66267
Final Action Effective	12/31/94	

**Small Entities Affected:** None

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**Government Levels Affected:** None

**Procurement:** This is a procurement-related action for which there is a statutory requirement. There is no paperwork burden associated with this action.

**Agency Contact:** William T. Childs, 202 358-0454

**RIN:** 2700-AB56

**4122. ACQUISITION REGULATION; ADDITION OF COVERAGE TO THE NASA FAR SUPPLEMENT ON PROVIDING FACILITIES TO CONTRACTORS**

**CFR Citation:** 48 CFR 1845

**Completed:**

Reason	Date	FR Cite
Final Action	06/10/94	59 FR 29962
Final Action Effective	06/30/94	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Procurement:** This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

**Agency Contact:** Larry G. Pendleton, 202 358-0487

**RIN:** 2700-AB76

**4123. REVISION TO NASA FAR SUPPLEMENT COVERAGE ON PENSION PORTABILITY**

**CFR Citation:** 48 CFR 1837; 48 CFR 1852

**Completed:**

Reason	Date	FR Cite
Final Action	11/29/94	59 FR 60916
Final Action Effective	12/29/94	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Procurement:** This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

**Agency Contact:** Joseph Le Cren, 202 358-0444

**RIN:** 2700-AB77

**4124. NASA FAR SUPPLEMENT: PROCUREMENT PLANS, INSTRUCTIONS FOR TECHNICAL PROPOSALS AND BUSINESS MANAGEMENT PROPOSALS, AND CONTENTS OF THE PRENEGOTIATION POSITION MEMORANDUM**

**CFR Citation:** 48 CFR 1801; 48 CFR 1807; 48 CFR 1815

**Completed:**

Reason	Date	FR Cite
Final Action	09/08/94	59 FR 46358
Final Action Effective	09/30/94	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Procurement:** This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

**Agency Contact:** Joseph Le Cren, 202 358-0444

**RIN:** 2700-AB81

**4125. ASSIGNMENT OF COPYRIGHT IN SOFTWARE**

**Completed:**

Reason	Date	FR Cite
Withdrawn - Duplicate of RIN 2700-AB72	02/02/95	

**RIN:** 2700-AB96

**4126. • REVISION TO NASA FAR SUPPLEMENT COVERAGE ON SET-ASIDES FOR SMALL BUSINESS**

**Legal Authority:** 42 USC 2473(c)(1)

**CFR Citation:** 48 CFR 1819

**Legal Deadline:** None

**Abstract:** NASA has revised the NASA FAR Supplement to address the action NASA Centers must take when the Small Business Administration (SBA) appeals a decision not to set aside a procurement for small businesses.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	07/27/94	59 FR 38130
Final Action	12/23/94	59 FR 66267
Final Action Effective	12/31/94	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Procurement:** This is a procurement-related action for which there is no

statutory requirement. There is no paperwork burden associated with this action.

**Agency Contact:** Deborah O'Neill, Procurement Analyst, National Aeronautics and Space Administration, NASA Headquarters, Code HK, Washington, DC 20546, 202 358-0440

**RIN:** 2700-AC01

**4127. • CORRECTIONS AND CLARIFICATION TO NASA FAR SUPPLEMENT COVERAGE ON DISALLOWANCE OF COSTS**

**Legal Authority:** 42 USC 2473(c)(1)

**CFR Citation:** 48 CFR 1842; 48 CFR 1853

**Legal Deadline:** None

**Abstract:** This rule clarifies who the responsible NASA contracting officer is when more than one contract is affected. This action is necessary to assure compliance with the Federal Acquisition Regulation, ensure that NASA coordinates internally disallowance of costs and to make the NFS more understandable. The effect of this action will be better coordination within NASA.

**Timetable:**

Action	Date	FR Cite
Final Action	07/27/94	59 FR 38131
Final Action Effective	07/27/94	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Procurement:** This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

**Agency Contact:** Joe Le Cren, Procurement Analyst, National Aeronautics and Space Administration, NASA Headquarters, Code HC, Washington, DC 20546, 202 358-0444

**RIN:** 2700-AC02

**4128. • MODIFICATION OF TEST OF MIDRANGE PROCUREMENT PROCEDURES**

**Legal Authority:** 42 USC 2473(c)(1)

**CFR Citation:** 48 CFR 1871

**Legal Deadline:** None

**Abstract:** The Office of Federal Procurement Policy approved a test of NASA's MidRange Procurement

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Procedures in 1993. This modification of the procedures is a result of OFPP's approval to expand the test to all NASA Centers and addresses other editorial and substantive changes.

**Timetable:**

Action	Date	FR Cite
Temporary Rule - Effective from 11/17/94 to 6/30/97	11/17/94	59 FR 59378

**Small Entities Affected:** None

**Government Levels Affected:** None

**Procurement:** This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

**Agency Contact:** Tom Deback, Procurement Analyst, National

Aeronautics and Space Administration, NASA Headquarters, Code HP, Washington, DC 20546, **202 358-0431**

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