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Part XXVIII

**National Aeronautics
and Space
Administration**

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 regulatory agenda.

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 the knowledgeable official, whether a regulatory analysis is required, and the status of regulations previously reported.

ADDRESSES: Director, Management Assessment Division (Code JM), Office of Management Systems, NASA Headquarters, Washington, DC 20546.

FOR FURTHER INFORMATION CONTACT: Nanette Jennings, (202) 358-0819.

SUPPLEMENTARY INFORMATION: OMB guidelines dated February 14, 2002, "Spring 2002 Unified Agenda of Federal Regulatory and Deregulatory Actions" require a regulatory agenda of those regulations under development and review to be published in the **Federal Register** each April and October.

Dated: March 15, 2002.

John D. Werner,

Director, Management Assessment Division.

National Aeronautics and Space Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
3267	Research Misconduct	2700-AC50

National Aeronautics and Space Administration—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
3268	Code of Conduct for International Space Station Crew	2700-AC40
3269	NASA Grant and Cooperative Agreement Handbook—Rewrite of Section D—Cooperative Agreements With Commercial Firms and Implementation of Section 319 of Public Law 106-391, Buy American Encouragement	2700-AC44
3270	Inventions and Contributions	2700-AC47
3271	Delegation of Authority	2700-AC54

National Aeronautics and Space Administration—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
3272	Tracking and Data Relay Satellite System; Use and Reimbursement Policy for Non-U.S. Government Users	2700-AA29
3273	Cross-Waiver of Liability	2700-AB51
3274	Miscellaneous Administrative Changes to the NASA Federal Acquisition Regulation Supplement (NFS)	2700-AC33
3275	Nondiscrimination on the Basis of Race, Color, National Origin, Handicap, and Age in Programs and Activities Receiving Federal Financial Assistance	2700-AC41
3276	Governmentwide Debarment and Suspension (Nonprocurement) and Governmentwide Requirements for Drug-Free Workplace (Grants)	2700-AC43
3277	National Environmental Policy Act Implementing Procedures	2700-AC49
3278	NASA Grant and Cooperative Agreement Handbook—Miscellaneous Changes	2700-AC53

National Aeronautics and Space Administration—Completed Actions

Sequence Number	Title	Regulation Identification Number
3279	NASA Standards of Conduct	2700-AC37
3280	Supplemental Standards of Ethical Conduct for Employees of the National Aeronautics and Space Administration	2700-AC45

NASA

National Aeronautics and Space Administration—Discontinued Entries

Regulation Identification Number	Title	Date With-drawn	Comments
2700-AC35	Meritorious Claims Arising From the Conduct of NASA Functions Under 42 U.S.C. 2473(c)(13)	02/27/2002	Withdrawn
2700-AC46	Boards and Committees	02/27/2002	Withdrawn
2700-AC48	Patents and Other Intellectual Property Rights	02/27/2002	Withdrawn

National Aeronautics and Space Administration (NASA)

Proposed Rule Stage

3267. RESEARCH MISCONDUCT**Priority:** Other Significant**Legal Authority:** 42 USC 2473**CFR Citation:** 14 CFR 1275**Legal Deadline:** None

Abstract: The proposed rule implements the "Federal Policy on Research Misconduct," issued by the Office of Science and Technology Policy in the Federal Register (FR) on December 6, 2000 (65 FR 76260). The

proposed rule sets out the definition of research misconduct and the procedures for determining whether research misconduct has occurred and for recommending administrative action by NASA pursuant to applicable laws.

Timetable:

Action	Date	FR Cite
NPRM	10/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No**Government Levels Affected:** None

Agency Contact: Mayra N. Montrose, National Aeronautics and Space Administration, Office of the NASA Chief Scientist, Code AS, 300 E Street SW, Washington, DC 20744
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RIN: 2700-AC50

National Aeronautics and Space Administration (NASA)

Final Rule Stage

3268. CODE OF CONDUCT FOR INTERNATIONAL SPACE STATION CREW**Priority:** Other Significant**Legal Authority:** 42 USC 2455, 2473, 2475; 18 USC 799**CFR Citation:** 14 CFR 1214, subpart 1214.4**Legal Deadline:** None

Abstract: NASA is amending 14 CFR part 1214 by adding subpart 1214.4 to implement certain provisions of the International Space Station Intergovernmental Agreement regarding crew members' observance of a Code of Conduct.

Timetable:

Action	Date	FR Cite
Interim Final Rule Effective	10/01/00	
Interim Final Rule	12/21/00	65 FR 80302
Final Rule	11/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No**Government Levels Affected:** None

Agency Contact: E. Jason Steptoe, Associate General Counsel, National Aeronautics and Space Administration, Office of General Counsel (Code GS), 300 E Street SW, Washington, DC 20546

Phone: 202 358-2432

RIN: 2700-AC40**3269. NASA GRANT AND COOPERATIVE AGREEMENT HANDBOOK—REWRITE OF SECTION D—COOPERATIVE AGREEMENTS WITH COMMERCIAL FIRMS AND IMPLEMENTATION OF SECTION 319 OF PUBLIC LAW 106-391, BUY AMERICAN ENCOURAGEMENT****Priority:** Substantive, Nonsignificant**Legal Authority:** 31 USC 6301 to 6308**CFR Citation:** 14 CFR 1260 and 1274**Legal Deadline:** None

Abstract: NASA's Grant and Cooperative Agreement Handbook will be revised to clarify and provide additional guidance on the award and

administration of cooperative agreements with commercial firms. This includes incorporating appropriate guidance on risk-centered approaches to acquisitions under cooperative agreements.

Timetable:

Action	Date	FR Cite
NPRM	10/29/01	66 FR 54468
NPRM Comment Period End	12/28/01	
Final Action	05/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No**Government Levels Affected:** None

Agency Contact: Eugene Johnson, Procurement Analyst, National Aeronautics and Space Administration, NASA Headquarters (Code HC), 300 E Street SW, Washington, DC 20546
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RIN: 2700-AC44

NASA

Final Rule Stage

3270. INVENTIONS AND CONTRIBUTIONS

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 2458, sec 306 of the National Aeronautics and Space Act of 1958; 15 USC 3710b(1), sec 12 of the Federal Technology Transfer Act of 1986

CFR Citation: 14 CFR 1240

Legal Deadline: None

Abstract: NASA is amending 14 CFR part 1240 to provide definitions (including a software definition), add a new category of initial awards for release of software, provide initial awards for the issuance of patents based upon continuation-in-part and divisional patent applications, increase the amount of certain awards, and change delegations of authority from the NASA Administrator.

Award amounts have not been changed since 1985, and this updates to current day dollars. This includes significant increases in initial awards for technical briefs from \$150 to \$350, multiple author software and patents from \$250 to \$500, and single author software and patents from \$500 to \$1,000. Any award of an amount less than \$2,000 no longer requires the Administrator's signature.

Timetable:

Action	Date	FR Cite
Final Rule	10/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Agency Contact: Paul A. Curto, Senior Technologist, National Aeronautics and Space Administration, NASA Headquarters, Code RI, Washington, DC 20546

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RIN: 2700-AC47

3271. • DELEGATION OF AUTHORITY

Priority: Info./Admin./Other

Legal Authority: PL 105-389, as amended by PL 106-685

CFR Citation: 14 CFR 1204

Legal Deadline: None

Abstract: The Centennial of Flight Commemoration Act (the Act), Public Law 105-389, as amended by Public Law 106-685, was passed October 6, 1999. In section 9(a) and 9(b) of the Act, the NASA Administrator is given

the sole and exclusive right to approve the usage of the U.S. Centennial of Flight Commission logo and name. NASA, with the concurrence of the U.S. Centennial of Flight Commission, now wishes to delegate to the Assistant Administrator for External Affairs this right to approve the usage of the U.S. Centennial of Flight Commission logo and name.

Timetable:

Action	Date	FR Cite
Final Rule	10/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Sharon Christy Foster, Executive Director, U.S. Centennial of Flight Commission, National Aeronautics and Space Administration, NASA Headquarters, 300 E Street SW, Code IA-1, Washington, DC 20546

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RIN: 2700-AC54

National Aeronautics and Space Administration (NASA)

Long-Term Actions

3272. TRACKING AND DATA RELAY SATELLITE SYSTEM; USE AND REIMBURSEMENT POLICY FOR NON-U.S. GOVERNMENT USERS

Priority: Info./Admin./Other

CFR Citation: 14 CFR 1215

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 1997 Rate Change	05/15/95	60 FR 25843
Next Action Undetermined		

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Joseph LaCurto
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RIN: 2700-AA29

3273. CROSS-WAIVER OF LIABILITY

Priority: Info./Admin./Other

CFR Citation: 14 CFR 1266

Timetable:

Action	Date	FR Cite
Final Action	05/00/03	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Steven Mirmina
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RIN: 2700-AB51

3274. MISCELLANEOUS ADMINISTRATIVE CHANGES TO THE NASA FEDERAL ACQUISITION REGULATION SUPPLEMENT (NFS)

Priority: Info./Admin./Other

CFR Citation: 48 CFR 1801 to 1872

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Celeste M. Dalton
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RIN: 2700-AC33

NASA

Long-Term Actions

3275. NONDISCRIMINATION ON THE BASIS OF RACE, COLOR, NATIONAL ORIGIN, HANDICAP, AND AGE IN PROGRAMS AND ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE**Priority:** Substantive, Nonsignificant**CFR Citation:** 14 CFR 1250; 14 CFR 1251; 14 CFR 1252**Timetable:**

Action	Date	FR Cite
NPRM	12/06/00	65 FR 76460
NPRM Comment Period End	01/05/01	
Next Action Undetermined		

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Federal**Agency Contact:** George E. Reese
Phone: 202 358-2167
Fax: 202 358-3336
Email: greese@hq.nasa.gov**RIN:** 2700-AC41**3276. GOVERNMENTWIDE DEBARMENT AND SUSPENSION (NONPROCUREMENT) AND GOVERNMENTWIDE REQUIREMENTS FOR DRUG-FREE WORKPLACE (GRANTS)****Priority:** Substantive, Nonsignificant**CFR Citation:** 14 CFR 1265**Timetable:**

Action	Date	FR Cite
NPRM	01/23/02	67 FR 3265
NPRM Comment Period End	03/25/02	
Next Action Undetermined		

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Diane S. Thompson
Phone: 202 358-0514
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Email: dthompso@hq.nasa.gov**RIN:** 2700-AC43**3277. NATIONAL ENVIRONMENTAL POLICY ACT IMPLEMENTING PROCEDURES****Priority:** Substantive, Nonsignificant**CFR Citation:** 14 CFR 1216.3**Timetable:** Next Action Undetermined**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None**Agency Contact:** Ann Hooker
Phone: 202 358-0007
Email: ahooker@hq.nasa.gov**RIN:** 2700-AC49**3278. • NASA GRANT AND COOPERATIVE AGREEMENT HANDBOOK—MISCELLANEOUS CHANGES****Priority:** Info./Admin./Other**Unfunded Mandates:** Undetermined**Legal Authority:** 42 USC 2473**CFR Citation:** 14 CFR 1260; 14 CFR 1274**Legal Deadline:** None**Abstract:** The Grant and Cooperative Agreement Handbook will be amended as necessary to reflect administrative and editorial changes to clarify internal procedures and amplify Government regulations for awarding and administering grants and cooperative agreements. This regulation was inadvertently entered as being complete. New RIN established to recharacterize the action as Long-Term.**Timetable:** Next Action Undetermined**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Rita Svarcas, National Aeronautics and Space Administration
Phone: 202 358-0464
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Email: rsvarcas@hq.nasa.gov**Related RIN:** Duplicate of 2700-AC51**RIN:** 2700-AC53

National Aeronautics and Space Administration (NASA)

Completed Actions

3279. NASA STANDARDS OF CONDUCT**Priority:** Info./Admin./Other**CFR Citation:** 14 CFR 1207; 5 CFR 6901**Completed:**

Reason	Date	FR Cite
Final Action	11/27/01	66 FR 59136

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Laurie P. Rafferty
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Related RIN: Related To 2700-AC45**RIN:** 2700-AC37**3280. SUPPLEMENTAL STANDARDS OF ETHICAL CONDUCT FOR EMPLOYEES OF THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION****Priority:** Info./Admin./Other**CFR Citation:** 5 CFR 6901; 14 CFR 1207**Completed:**

Reason	Date	FR Cite
Final Action	11/27/01	66 FR 39135

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Laurie P. Rafferty
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Email: lraffert@hq.nasa.gov**Related RIN:** Related To 2700-AC37**RIN:** 2700-AC45

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