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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 Systems Division, Office of Infrastructure and Administration, NASA Headquarters, Washington, DC 20546.

FOR FURTHER INFORMATION CONTACT: Cheryl E. Parker (202) 358-0252.

SUPPLEMENTARY INFORMATION: OMB guidelines dated January 6, 2006, "Spring 2006 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: February 24, 2006.

John D. Werner,
Director, Management Systems Division.

National Aeronautics and Space Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
3342	Cross-Waiver of Liability	2700-AB51
3343	Astronaut Health Care Provision	2700-AD09
3344	Tracking and Data Relay Satellite System (TDRSS)	2700-AD15

National Aeronautics and Space Administration—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
3345	Code of Conduct for International Space Station Crew	2700-AC40
3346	Development Work for Industry in NASA Wind Tunnels	2700-AC81
3347	Small Business Innovation Research and Small Business Technology Transfer Contractor Recertification of Program Compliance	2700-AD17
3348	Revisions Impacting Awards for Scientific and Technical Contributions by the NASA Inventions and Contribution Board	2700-AD22
3349	Revision Impacting Organizational Location and Responsibilities of the NASA Inventions & Contributions Board ...	2700-AD23

National Aeronautics and Space Administration—Completed Actions

Sequence Number	Title	Regulation Identifier Number
3350	NASA Federal Acquisition Regulation (FAR) Supplement—Research and Development Abstracts	2700-AC64
3351	Research and Development Abstracts—NASA Grant and Cooperative Agreement Handbook	2700-AC82
3352	Federal Policy for the Protection of Human Subjects, Technical Amendment	2700-AC99
3353	NASA Research Announcements—Small Business Subcontracting Plans and Publication Acknowledgement and Disclaimers	2700-AD03
3354	NASA Science and Technology Scholarship (STSP)	2700-AD08
3355	Safety and Health—Alternate 1 to Major Breach of Safety or Security Clause	2700-AD12
3356	Interagency Acquisitions—Property Administration and Report	2700-AD19
3357	Change to Definition of "Head of Contracting Activity"	2700-AD21

National Aeronautics and Space Administration (NASA)

Proposed Rule Stage

3342. CROSS-WAIVER OF LIABILITY

Priority: Info./Admin./Other

Legal Authority: 42 USC 2473

CFR Citation: 14 CFR 1266

Legal Deadline: None

Abstract: This provides technical amendments to implement the cross-waiver of liability provision of the

NASA

Proposed Rule Stage

intergovernmental agreement of the International Space Station and to refine and clarify contractual cross-waivers in NASA agreements involving launch services.

Timetable:

Action	Date	FR Cite
NPRM	10/00/06	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

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RIN: 2700-AB51

3343. ASTRONAUT HEALTH CARE PROVISION

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Legal Authority: Not Yet Determined

CFR Citation: 14 CFR 1205

Legal Deadline: None

Abstract: The Astronaut Health Care for Life Provision initiative responds to a critical need identified by NASA, with concurrence by the Institute of Medicine, to create a comprehensive health care system for astronauts and their families that enables the capture and study of all relevant data necessary to ameliorate the risks of space flight. The Astronaut Care Provision effort focuses on the best means to develop a responsible, complete, and comprehensive health insurance program for astronauts and their dependents. If successfully designed and implemented, such a program

should enhance understanding of how humans can travel safely and live longer in space and, as an additional benefit, how humans can live longer on earth. In order to provide this comprehensive health care for the dependents of active astronauts, retired astronauts, and their dependents, NASA needs the appropriate authority stipulated in legislation.

Timetable:

Action	Date	FR Cite
NPRM	04/00/06	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 2700-AD09

3344. TRACKING AND DATA RELAY SATELLITE SYSTEM (TDRSS)

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 42 USC 2473; 48 FR 9845, 3/9/83, unless otherwise noted; 56 FR 28049, 6/19/91; 61 FR 46714, 9/5/96

CFR Citation: 14 CFR 1215; 14 CFR 1215.1; 14 CFR 1215.100; 14 CFR 1215.101; 14 CFR 1215.102; 14 CFR 1215.103; 14 CFR 1215.104; 14 CFR 1215.105; 14 CFR 1215.106

Legal Deadline: None

Abstract: The TDRSS represents a major investment by the U.S.

Government with the primary goal of providing improved tracking and data acquisition services to spacecraft in low earth orbit or to mobile terrestrial users such as aircraft or balloons. It is the objective of NASA to operate as efficiently as possible with the TDRSS. This is to the mutual benefit of all users. Such user consideration will permit NASA and non-NASA service to be delivered without compromising the mission objectives of any individual users. To encourage users toward achieving efficient TDRSS usage, this reimbursement policy has been established to purposely influence users to operate with TDRSS in the most efficient and orderly manner possible. Additionally, the reimbursement policy is designed to comply with the Office of Management and Budget Circular A-25 on User Charges, which requires that a reasonable charge should be made to each identifiable recipient for a measurable unit or amount of Government service or property from which a special benefit is derived.

Timetable:

Action	Date	FR Cite
NPRM	10/00/06	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 2700-AD15

National Aeronautics and Space Administration (NASA)

Final Rule Stage

3345. CODE OF CONDUCT FOR INTERNATIONAL SPACE STATION CREW

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 2455, 2473, and 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	12/21/00	65 FR 80302
Interim Final Rule Effective	10/01/00	
Final Action	04/00/06	

Regulatory Flexibility Analysis

Required: No

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Final Rule Stage

Small Entities Affected: No

Government Levels Affected: None

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RIN: 2700-AC40

3346. DEVELOPMENT WORK FOR INDUSTRY IN NASA WIND TUNNELS

Priority: Info./Admin./Other

Legal Authority: 50 USC 511 to 515; 42 USC 2473(c)(5) and (6)

CFR Citation: 14 CFR 1210

Legal Deadline: None

Abstract: The regulations set forth in 14 CFR 1210 detail the policies and procedures by which NASA makes certain of its wind tunnel facilities available for use in development work by industry. NASA is in the process of updating these regulations to more accurately reflect current accounting policies and operating procedures.

Timetable:

Action	Date	FR Cite
Final Action	10/00/06	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal

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RIN: 2700-AC81

3347. SMALL BUSINESS INNOVATION RESEARCH AND SMALL BUSINESS TECHNOLOGY TRANSFER CONTRACTOR RECERTIFICATION OF PROGRAM COMPLIANCE

Priority: Substantive, Nonsignificant

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

CFR Citation: 48 CFR 1819; 48 CFR 1832; 48 CFR 1852

Legal Deadline: None

Abstract: This proposed rule is to amend the NASA FAR Supplement to include a requirement for NASA's Small Business Innovation Research and the Small Business Technology Transfer contractors to complete a recertification of program compliance prior to final payment. This requirement is being established to facilitate the Government's ability to hold contractors accountable for compliance with Federal statute, regulation, and program requirements as outlined in the Office of Inspector General's Management Alert Memorandum dated April 28, 2004.

Timetable:

Action	Date	FR Cite
NPRM	09/30/05	70 FR 57240
NPRM Comment Period End	11/29/05	
Final Action	04/00/06	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

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RIN: 2700-AD17

3348. • REVISIONS IMPACTING AWARDS FOR SCIENTIFIC AND TECHNICAL CONTRIBUTIONS BY THE NASA INVENTIONS AND CONTRIBUTION BOARD

Priority: Info./Admin./Other

Legal Authority: Space Act 1958, as amended, sec 306

CFR Citation: 14 CFR 1240

Legal Deadline: None

Abstract: To aid the NASA Inventions and Contributions Board in processing applications for awards, all applications must now be submitted using electronic media.

NASA now provides initial awards for the filing of a non-provisional U.S. patent application, or upon the issuance of a patent for a continuation-in-part or a divisional patent application, for an invention made and reported by an employee of NASA or an employee of a NASA contractor. The amounts of these awards are at least \$1,500 for a sole inventor and at least

\$750 for each joint inventor. Previously, these amounts were \$1,000 and \$500.

Initial awards are authorized for the approved release to a qualified user of a software package based on an innovation made and reported by an employee of NASA or a NASA contractor. The amounts of these initial awards are at least \$1,500 for a sole innovator and at least \$750 for joint innovators. Previously, these amounts were \$1,000 and \$500. The Board is authorized to recommend a supplemental monetary award in an amount that will be based on an evaluation of the technical and commercial merits of the innovation. Initial awards for the publication of a selected innovation in "NASA Tech Briefs" has been increased to at least \$500 from the previous amount of at least \$350.

The Board will now recommend an award for a contribution to NASA, where upon evaluation of its scientific and technical merits, it is determined to warrant an award of at least \$750. Previously, the threshold was set at \$500.

The maximum amount that may be paid for any innovation within any single category of initial award may not exceed \$10,000. The previous limit was \$5,000.

The Chairperson, Inventions and Contributions Board, is delegated authority to execute grants of awards for scientific and technical contributions to NASA not to exceed \$3,000 per contributor. Previously, this amount was \$2,000. Also, the Chairperson, Inventions and Contributions Board, is delegated the authority to make initial awards.

Lastly, a definitions section has been added to this subpart.

Timetable:

Action	Date	FR Cite
Final Action	04/00/06	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

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NASA

Final Rule Stage

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RIN: 2700-AD22

3349. • REVISION IMPACTING ORGANIZATIONAL LOCATION AND RESPONSIBILITIES OF THE NASA INVENTIONS & CONTRIBUTIONS BOARD

Priority: Info./Admin./Other

Legal Authority: Space Act of 1958, as amended, sec 306

CFR Citation: 14 CFR 1209

Legal Deadline: None

Abstract: NASA is amending 14 CFR part 1209 to provide for a change in responsibilities and an organizational location change.

Timetable:

Action	Date	FR Cite
Final Action	04/00/06	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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Related RIN: Previously reported as 2700-AC46

RIN: 2700-AD23

National Aeronautics and Space Administration (NASA)

Completed Actions

3350. NASA FEDERAL ACQUISITION REGULATION (FAR) SUPPLEMENT—RESEARCH AND DEVELOPMENT ABSTRACTS

Priority: Substantive, Nonsignificant

CFR Citation: 48 CFR 1835; 48 CFR 1852

Completed:

Reason	Date	FR Cite
Withdrawn	10/18/05	70 FR 60484

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 2700-AC64

3352. FEDERAL POLICY FOR THE PROTECTION OF HUMAN SUBJECTS, TECHNICAL AMENDMENT

Priority: Info./Admin./Other

CFR Citation: 14 CFR 1230

Completed:

Reason	Date	FR Cite
Withdrawn	02/07/06	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 2700-AD03

3354. NASA SCIENCE AND TECHNOLOGY SCHOLARSHIP (STSP)

Priority: Other Significant

CFR Citation: 14 CFR 1200

Completed:

Reason	Date	FR Cite
Withdrawn	02/03/06	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Diane Clayton
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RIN: 2700-AD08

3351. RESEARCH AND DEVELOPMENT ABSTRACTS—NASA GRANT AND COOPERATIVE AGREEMENT HANDBOOK

Priority: Substantive, Nonsignificant

CFR Citation: 14 CFR 1260

Completed:

Reason	Date	FR Cite
Withdrawn	10/18/05	70 FR 60456

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Tom Sauret
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RIN: 2700-AC82

3353. NASA RESEARCH ANNOUNCEMENTS—SMALL BUSINESS SUBCONTRACTING PLANS AND PUBLICATION ACKNOWLEDGEMENT AND DISCLAIMERS

Priority: Substantive, Nonsignificant

CFR Citation: 48 CFR 1835

Completed:

Reason	Date	FR Cite
Final Action	12/15/05	70 FR 74206

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Patrick Flynn
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3355. SAFETY AND HEALTH—ALTERNATE 1 TO MAJOR BREACH OF SAFETY OR SECURITY CLAUSE

Priority: Substantive, Nonsignificant

CFR Citation: 48 CFR 1823; 48 CFR 1852

Completed:

Reason	Date	FR Cite
Final Action	02/22/06	71 FR 8989

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 2700-AD12

NASA

Completed Actions

3356. • INTERAGENCY ACQUISITIONS—PROPERTY ADMINISTRATION AND REPORT**Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 2473(c)(1)**CFR Citation:** 48 CFR 1852**Legal Deadline:** None

Abstract: This is a final rule to amend the NASA FAR Supplement (NFS) to revise clause 1852.217-70 Property Administration and Reporting to change in the name of NASA-Defense Purchase Request to NASA-Interagency Purchase Request and to replace the term Military Department to servicing agency in order to permit the use of this clause in interagency acquisitions with military departments and civilian agencies.

Timetable:

Action	Date	FR Cite
Final Action	12/15/05	70 FR 74206

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

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RIN: 2700-AD19**3357. • CHANGE TO DEFINITION OF “HEAD OF CONTRACTING ACTIVITY”****Priority:** Info./Admin./Other**Legal Authority:** 42 USC 2473(c)(1)**CFR Citation:** 48 CFR 1802**Legal Deadline:** None

Abstract: This is a final rule to amend the NASA FAR Supplement (NFS) to revise the definition of “Head of Contracting Activity” (HCA) to specify that the Associate Administrator for the

Space Operations Mission Directorate (SOMD) is the HCA for SOMD contracts.

Timetable:

Action	Date	FR Cite
Final Action	02/15/06	71 FR 7873

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Thomas O’Toole, National Aeronautics and Space Administration, NASA Headquarters, Office of Procurement, Contract Management Division, Washington, DC 20546

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RIN: 2700-AD21

[FR Doc. 06-2058 Filed 04-21-06; 8:45 am]

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