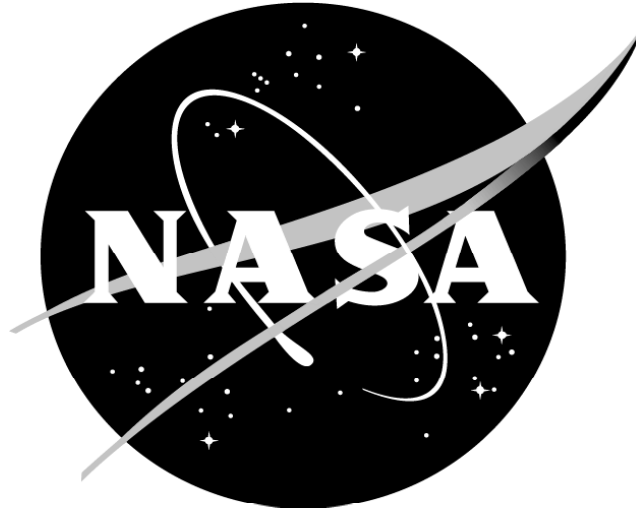


Responsible Office: General Law Division (Code GG)
Subject: Processing Legislative Proposals for Incorporation into the NASA Authorization Bill



Office of the General Counsel (HQ/Code G)

Office Work Instruction

Processing Legislative Proposals for Incorporation into the NASA Authorization Bill

Approved by: Original signed by Robert M. Stephens, Deputy General Counsel, for
Edward A. Frankle
General Counsel

Responsible Office: General Law Division (Code GG)
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1. Purpose

The purpose of this procedure is to document the process by which the Office of the General Counsel works with NASA Strategic Enterprises and Functional Offices to process legislative proposals for incorporation into the annual NASA authorization bill.

2. Scope and Applicability

This OWI covers the process performed in Code G to solicit legislative proposals from the NASA Strategic Enterprises and Functional Offices for incorporation into the annual NASA authorization bill.

3. Definitions

- 3.1 Action Document Summary (ADS). Concurrence sheet(s).
- 3.2 Call for Legislative Proposals. Memorandum to Officers in Charge of Headquarters Codes, Center Directors, and Director, Management Office-Jet Propulsion Laboratory, issued by the General Counsel requesting legislative proposals for incorporation into the upcoming NASA authorization bill.
- 3.3 Code A. Office of the Administrator.
- 3.4 Code B. Office of the Chief Financial Officer.
- 3.5 Code L. Office of Legislative Affairs.
- 3.6 EO 13132. Executive Order 13132, "Federalism" (August 4, 1999). This Executive Order sets out principles of federalism that must be complied with by Federal agencies. Each Federal agency is directed to appoint a Federalism Official to monitor agency compliance with the Executive Order. The Federalism Official must certify that the requirements of the Executive Order have been met before agency transmittal of legislative proposals to the Office of Management and Budget.
- 3.7 FRC. Federal Records Center.
- 3.8 FQ. Functional Office.
- 3.9 GC. General Counsel or Designee.

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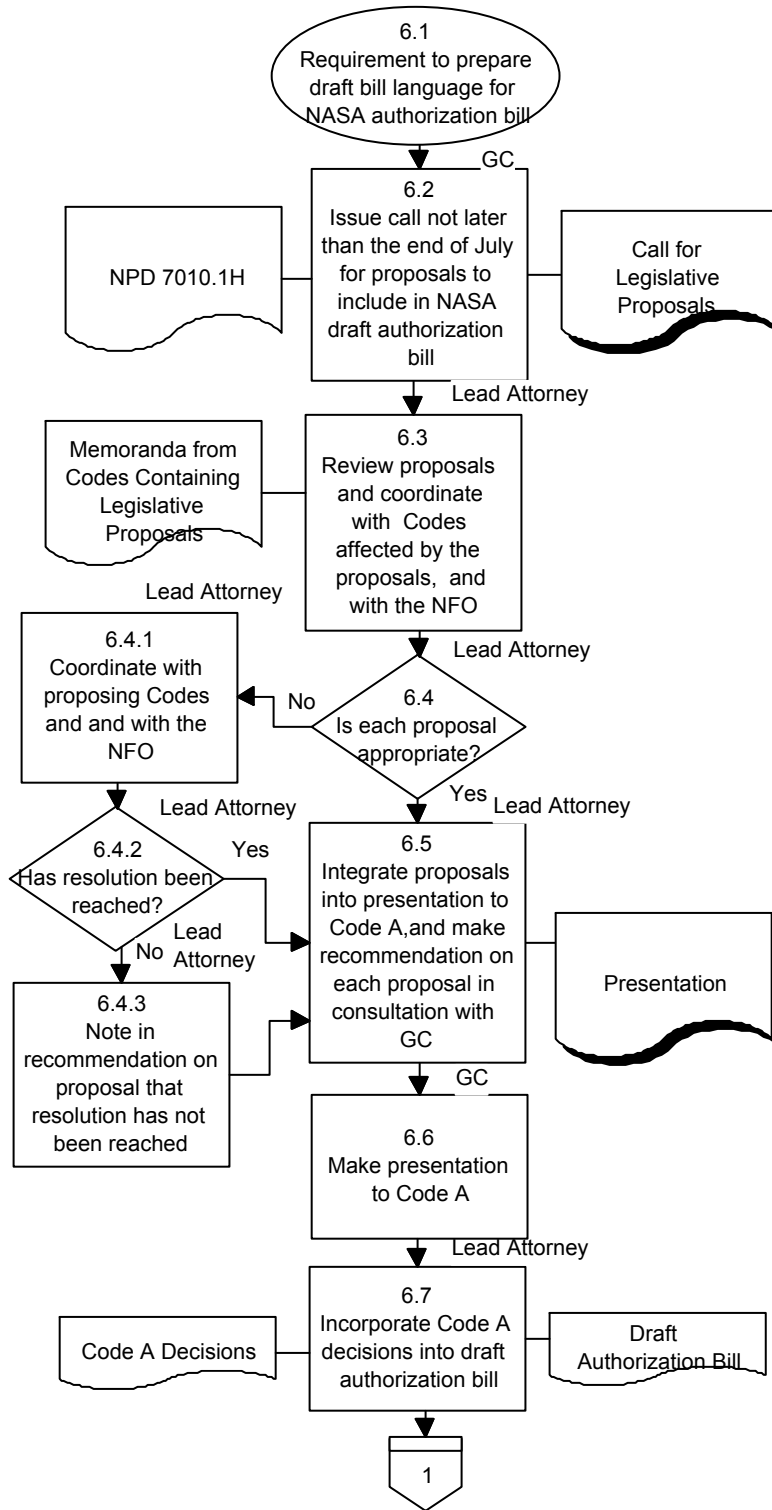
- 3.10 Lead Attorney. The individual within Code GG responsible for reviewing and coordinating legislative proposals for incorporation into the annual NASA authorization bill.
- 3.11 Legislative Proposal. Proposals from the NASA Strategic Enterprises and FOs for the enactment of new statutory authority. Proposals from the Centers are coordinated through the Strategic Enterprises.
- 3.12 NFO. NASA Federalism Official appointed pursuant to EO 13132, "Federalism" (August 4, 1999).
- 3.13 OMB. Office of Management and Budget.
- 3.14 Progress Notes. Sheet on which the Lead Attorney notes disposition of comments.

4. References

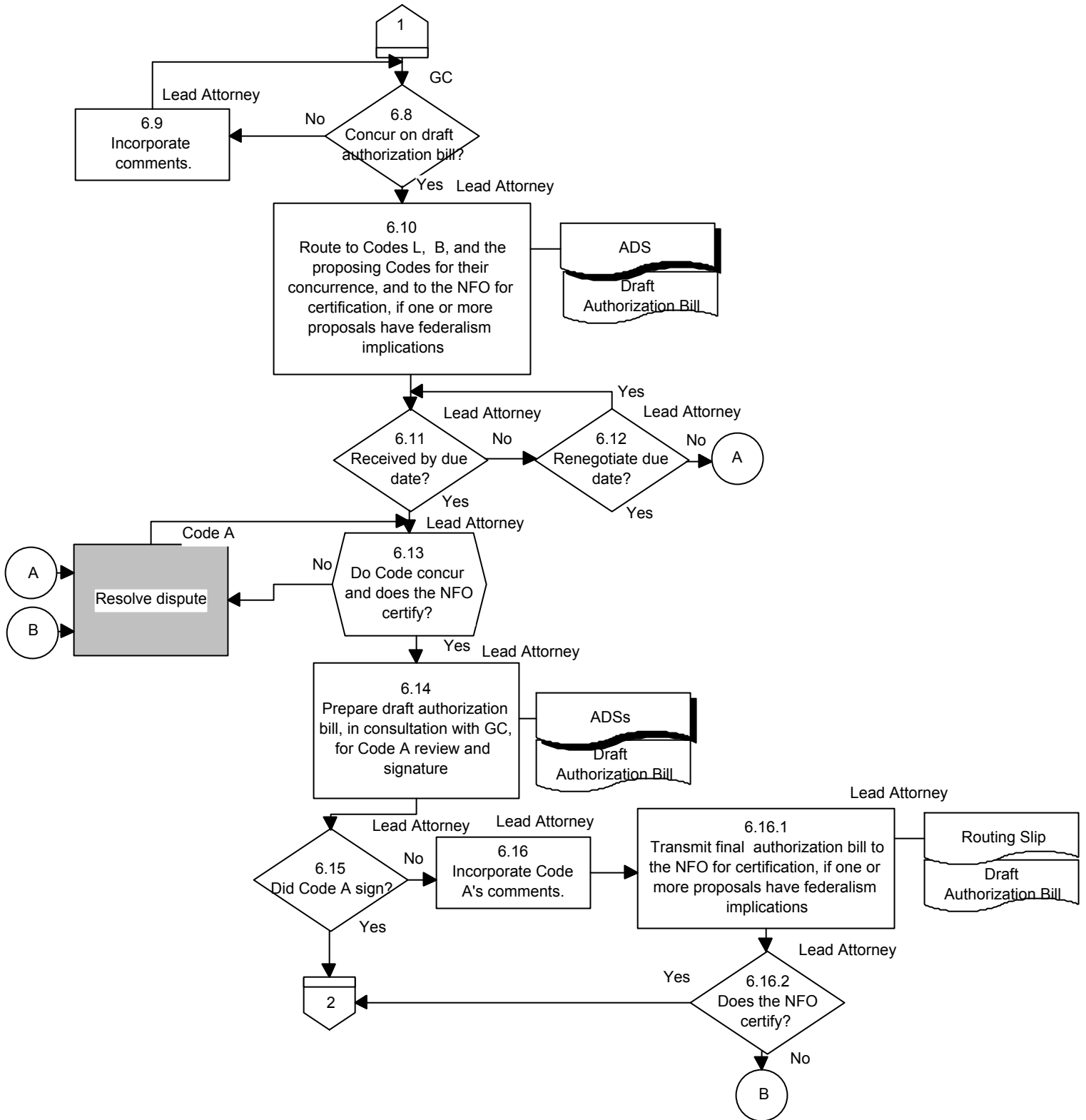
- 4.1 NPD 7010.1H, "Procedures for Processing Material for Inclusion in the NASA Legislative Program."
- 4.2 EO 13132, "Federalism" (August 4, 1999).
- 4.3 OMB Circular No. A-19, "Legislative Coordination and Clearance."

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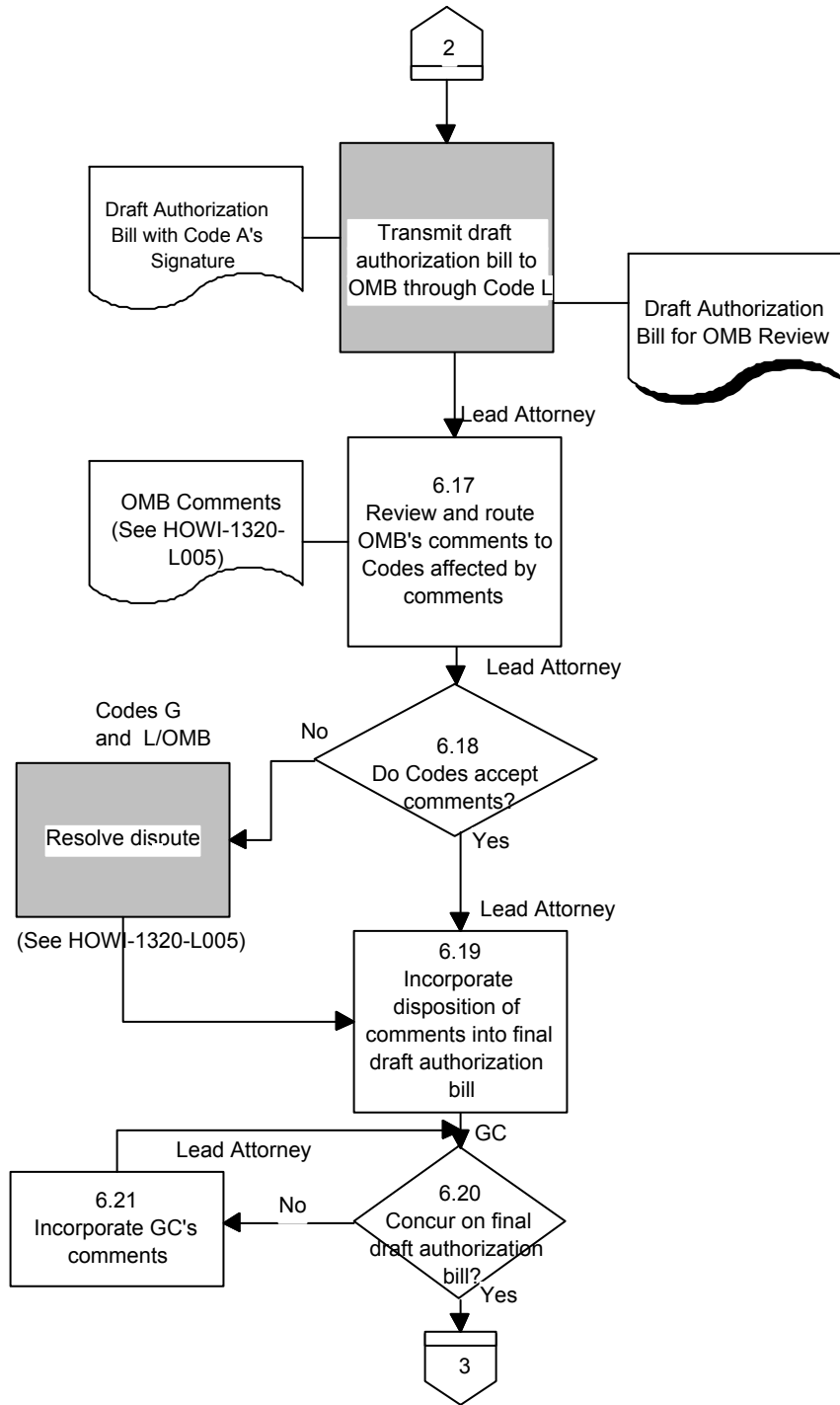
5. Flowchart



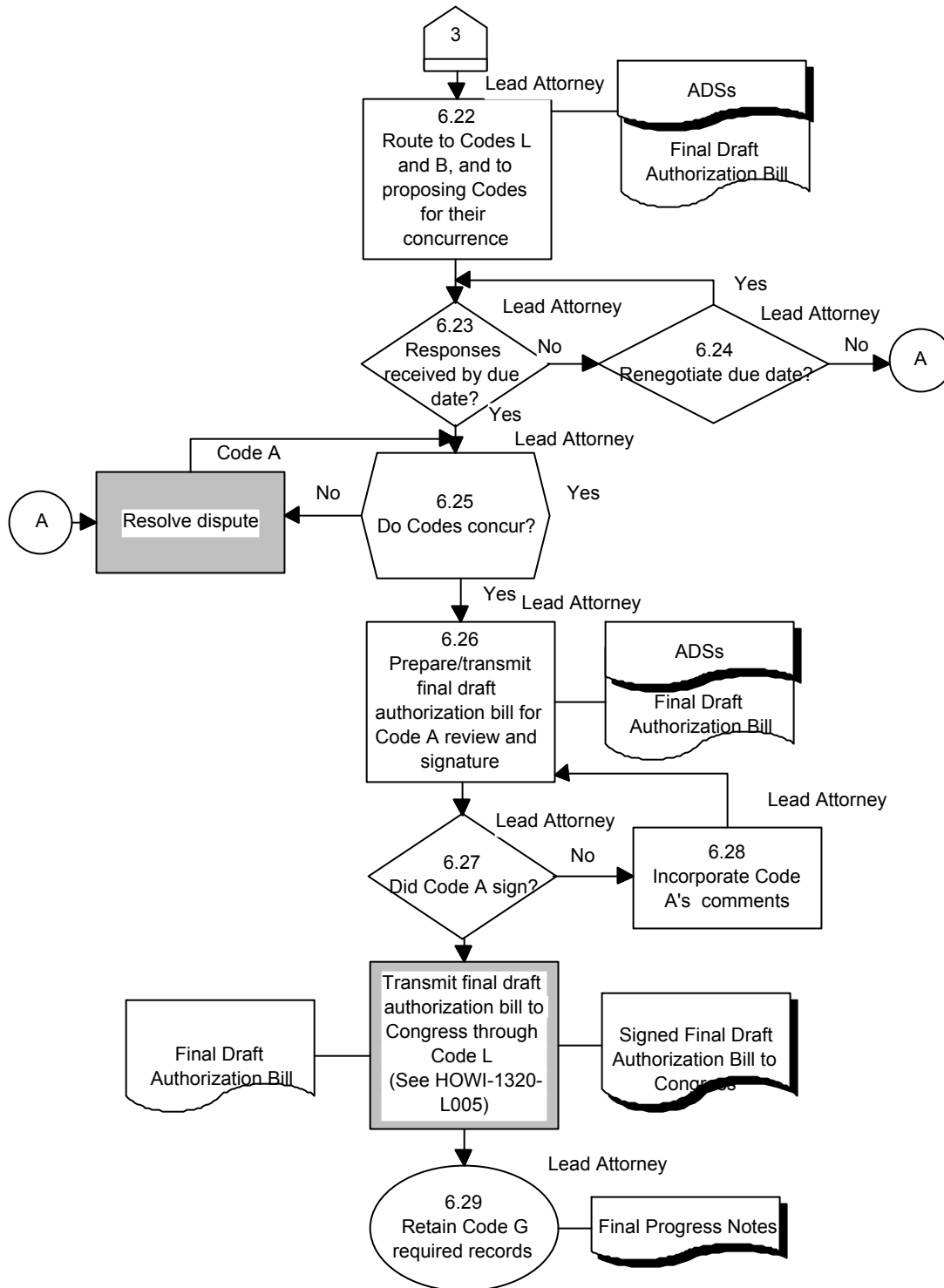
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6. Procedure

<u>Step</u>	<u>Actionee</u>	<u>Action</u>
6.1		Requirement to prepare draft bill language for the NASA authorization bill.
6.2	GC	Issue Call for Legislative Proposals not later than the end of July of last year. Assign due date by when to receive legislative proposals. If legislative proposals are not received by the due date, assume no response.
6.3	Lead Attorney	Review Headquarters Code memoranda containing legislative proposals submitted in response to the Call for Legislative Proposals. Coordinate with the Codes affected by the proposals and with the NFO.
6.4	Lead Attorney	Note each proposal received in Progress Notes. Review each legislative proposal for its appropriateness to include in authorization bill draft language. "Appropriateness" is defined by: (1) absence of redundancy or overlap with existing authority; (2) adequacy of proposal statutory language to achieve intended results; (3) lack of means other than legislation for resolving the problem; and(4) compliance with EO 13132. If the proposal is not appropriate and adequate, go to Step 6.4.1. If it is, go to Step 6.5.
6.4.1	Lead Attorney	Coordinate with the proposing Code and with the NFO. Address issues to be resolved before the legislative proposal can be incorporated into draft bill language.
6.4.2	Lead Attorney	Determine whether resolution has been reached with the proposing Code on the issues addressed in Step 6.4.1. If no, go to Step 6.4.3. If yes, go to Step 6.5.
6.4.3	Lead Attorney	Note in recommendation on proposal for presentation to Code A (see Step 6.5) that resolution has not been reached, and proceed to Step 6.5.
6.5	Lead Attorney	Integrate legislative proposals into presentation to Code A. In consultation with GC, make recommendation on each proposal, and prepare presentation that summarizes the proposals and Code G's recommendations for each proposal.
6.6	GC	Make presentation to Code A.
6.7	Lead Attorney	Incorporate Code A's decisions into the draft authorization bill. Note the disposition of the comments on the Progress Notes (See Appendix A). Submit the draft authorization bill with Code A's decisions to the GC for concurrence (see Step 6.8).

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- 6.8 GC Review draft authorization bill. If concurrence is given, initial the concurrence on the ADS, and proceed to Step 6.10. If concurrence is not given, go to Step 6.9.
- 6.9 Lead Attorney Incorporate GC's comments. Note the disposition of those comments on the Progress Notes. Resubmit to GC (see Step 6.8).
- 6.10 Lead Attorney Route the draft authorization bill to Codes L, B, and the proposing Codes for concurrence, and to the NFO for certification if one or more proposals have federalism implications as described in EO 13123. Assign due date by when to receive concurrences.
- 6.11 Lead Attorney Confirm whether responses have been received by due date. If responses have been received, go to Step 6.13. If responses have not been received, go to Step 6.12.
- 6.12 Lead Attorney Determine whether to renegotiate due date. This determination is made based on the attorney's professional judgment and experience and the reasons why concurrence and/or certification was requested by the original due date. If the due date is renegotiated, go to Step 6.11. If the due date is not renegotiated, submit the issue to Code A for resolution. Note status of activity in Progress Notes.
- 6.13 Lead Attorney Note whether the Codes concur and whether the NFO certifies. If yes, go to Step 6.14. If no, submit to Code A to resolve the dispute. Note disposition of comments on the Progress Notes.
- 6.14 Lead Attorney Prepare the draft authorization bill for Code A's review and signature in consultation with GC.
- 6.15 Lead Attorney Confirm that Code A has signed the draft authorization bill. If Code A has not signed the bill, go to Step 6.16. (If Code A has signed the bill, see Code L HQOWI-1320-L005.)
- 6.16 Lead Attorney Incorporate Code A's comments, and go to Step 6.16.1. Note disposition of comments on Progress Notes.
- 6.16.1 Lead Attorney Transmit (with routing slip) the draft authorization bill to the NFO for certification if one or more proposals have federalism implications.
- 6.16.2 Lead Attorney Note whether the NFO has certified. If yes, see Code L HQOWI-1320-L005. If no, submit the issue to Code A for resolution. Note status of activity in Progress Notes.
- 6.17 Lead Attorney Review OMB's comments and route to Codes affected by comments. Note OMB comments in Progress

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- Notes (OMB comments are provided through Code L [see HQOWI-1320-L005]).
- 6.18 Lead Attorney Confirm whether the Codes accept OMB's comments. If no, work with Code L and OMB to resolve the dispute (see HQOWI-1320-L005). If yes, go to Step 6.19.
- 6.19 Lead Attorney Incorporate final disposition of comments into the final draft authorization bill. Note disposition on Progress Notes.
- 6.20 GC Review final draft authorization bill for concurrence. If concurrence is given, note concurrence on ADS, and go to Step 6.22. If concurrence is not given, go to Step 6.21.
- 6.21 Lead Attorney Incorporate GC's comments. Note disposition of comments on Progress Notes.
- 6.22 Lead Attorney Route to Codes L and B and to proposing Codes for concurrence. Assign due date by when to receive concurrences.
- 6.23 Lead Attorney Confirm whether responses are received by due date. If responses are received by the due date, go to Step 6.25. If no response is received by the due date, go to Step 6.24.
- 6.24 Lead Attorney Determine whether to renegotiate due date. This determination is made based on the attorney's professional judgment and experience. If the due date is renegotiated, go to Step 6.23. If the due date is not renegotiated, submit the issue to Code A for resolution. Note status of activity in Progress Notes.
- 6.25 Lead Attorney Note whether the Codes concur. If yes, go to Step 6.26. If no, submit to Code A to resolve dispute. Note the disposition of comments on Progress Notes.
- 6.26 Lead Attorney Prepare/transmit final draft authorization bill for Code A review and signature.
- 6.27 Lead Attorney Confirm whether Code A has signed the final draft authorization bill. (If yes, see Code L HQOWI-1320-L005.) If no, go to Step 6.28.
- 6.28 Lead Attorney Incorporate Code A's comments, and resubmit for signature (go to Step 6.26). Note disposition of comments on Progress Notes.
- 6.29 Lead Attorney Ensure Code G quality records for this process are retained.

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7. Quality Records

Record Identification	Owner	Location	Record Media: Electronic or Hard Copy	Schedule Number and Item Number (NPG 1441.1)	Retention/Disposition
Call for Legislative Proposals	Code GG	Code GG Files	Hard Copy	Schedule 1 Item 25	Remove from related records and destroy or delete when work is completed or when no longer needed for operating purposes.
Presentation	Code GG	Code GG Files	Hard Copy	Schedule 1 Item 25	Remove from related records and destroy or delete when work is completed or when no longer needed for operating purposes.
ADSS	Code LB	Code LB Files	Hard Copy	Schedule 1 Item 30.A	Destroy when 10 years old or when no longer needed, which ever is sooner.
Draft Authorization Bill for OMB Review	Code LB	Code LB Files	Hard Copy	Schedule 1 Item 30.A	Retire to FRC 5 years after subsequent authorization bill is enacted into law or defeated. Destroy when 15 years old.
Signed Final Draft Authorization Bill to Congress	Code LB	Code LB Files	Hard Copy	Schedule 1 Item 30.A	Retire to FRC 5 years after authorization bill is enacted into law or defeated. Destroy when 15 years old.
Final Progress Notes	Code GG	Code GG Files	Hard Copy	Schedule 1 Item 25	Remove from related records and destroy or delete when work is completed or when no longer needed for operating purposes.

Appendix A, Progress Notes

