

**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, Office of Internal Controls and Management Systems, Office of Mission Support Directorate, NASA Headquarters, Washington, DC 20546.

**FOR FURTHER INFORMATION CONTACT:** Cheryl E. Parker, (202) 358–0252.

**SUPPLEMENTARY INFORMATION:** OMB guidelines dated August 25, 2014, “Fall 2014 Regulatory Plan and 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 spring and fall.

Pursuant to section 6 of Executive Order 13579 “Regulation and Independent Regulatory Agencies” (Jul. 11, 2011), NASA regulations associated with its retrospective review and analysis are described in the Agency’s final retrospective plan of existing regulations. Nineteen of these regulations were completed and are described below. NASA’s final plan and updates can be found at <http://www.nasa.gov/open>, under the Compliance Documents Section.

Dated: September 19, 2014.

**Krista Paquin,**

*Acting Director, Office of Internal Controls and Management Systems.*

**NATIONAL AERONAUTICS AND SPACE ADMINISTRATION—PROPOSED RULE STAGE**

Sequence No.	Title	Regulation Identifier No.
395 .....	Discrimination on Basis of Disability in Federally Assisted Programs and Activities ( <b>Section 610 Review</b> )	2700–AD85
396 .....	NASA FAR Supplement, Safety and Health Measures and Mishap Reporting ( <b>Section 610 Review</b> ) .....	2700–AE16
397 .....	NASA FAR Supplement Drug and Alcohol Free Workforce ( <b>Section 610 Review</b> ) .....	2700–AE17

**NATIONAL AERONAUTICS AND SPACE ADMINISTRATION—FINAL RULE STAGE**

Sequence No.	Title	Regulation Identifier No.
398 .....	Collection of Civil Claims of the United States Arising Out of the Activities of NASA ( <b>Section 610 Review</b> )	2700–AD83

**NATIONAL AERONAUTICS AND SPACE ADMINISTRATION—COMPLETED ACTIONS**

Sequence No.	Title	Regulation Identifier No.
399 .....	NASA Implementation of OMB Guidance for Drug-Free Workplace Requirements (Financial Assistance) ( <b>Section 610 Review</b> ).	2700–AE15

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

Proposed Rule Stage

**395. Discrimination on Basis of Disability in Federally Assisted Programs and Activities (Section 610 Review)**

*Legal Authority:* 29 U.S.C. 794, sec 504 of the Rehabilitation Act of 1973, amended

*Abstract:* This proposed rule will amend 14 CFR 1251 to align with the Department of Justice’s (DOJ) implementing regulations incorporating the new accessibility standards. Other amendments include updates to organizational information, use of the term “disability” in lieu of the term “handicap,” changes to definitions, and other sections based on the Americans With Disabilities Act of 2008. Part 1251 implements the federally assisted provisions of section 504 of the

Rehabilitation Act of 1973 (section 504), as amended, 29 U.S.C. 794, which prohibits discrimination on the basis of disability by recipients of Federal Financial Assistance from NASA. Under Executive Order 12250, the United States Attorney General has the authority to coordinate the implementation and enforcement of a variety of civil rights statutes by Federal agencies such as NASA, including section 504.

The revisions to this rule are part of NASA’s retrospective plan under Executive Order 13563, completed in August 2011. NASA’s full plan can be accessed at: <http://www.nasa.gov/open>.

*Timetable:*

Action	Date	FR Cite
NPRM .....	01/00/15	

*Regulatory Flexibility Analysis Required:* No.

*Agency Contact:* Robert W. Cosgrove, External Compliance Manager, National Aeronautics and Space Administration, 300 E Street SW., Washington, DC 20546, *Phone:* 202 358–0446, *Fax:* 202 358–3336, *Email:* [robert.cosgrove@nasa.gov](mailto:robert.cosgrove@nasa.gov).

*RIN:* 2700–AD85

**396. • NASA FAR Supplement, Safety and Health Measures and Mishap Reporting (Section 610 Review)**

*Legal Authority:* Not Yet Determined

*Abstract:* This rule revises the NASA FAR Supplement (NFS) to change the title of clause 1852.223–70 to better reflect its content and also to update the clause to include current safety requirements and delete obsolete coverage.

*Timetable:*

Action	Date	FR Cite
NPRM .....	03/00/15	

*Regulatory Flexibility Analysis Required:* No.  
*Agency Contact:* Leigh Pomponio, Program Analyst, Office of Procurement, National Aeronautics and Space Administration, 300 E Street SW., Washington, DC 20746, *Phone:* 202 358-0592, *Email:* [leigh.pomponio-1@nasa.gov](mailto:leigh.pomponio-1@nasa.gov).  
*RIN:* 2700-AE16

**397. • NASA FAR Supplement Drug and Alcohol Free Workforce (Section 610 Review)**

*Legal Authority:* 51 U.S.C. 20113(c)  
*Abstract:* NASA is proposing to amend the NASA FAR Supplement (NFS) to remove requirements related to the discontinued Space Flight Mission Critical Systems Personnel Reliability Program and to revise requirements related to contractor drug and alcohol testing.  
*Timetable:*

Action	Date	FR Cite
NPRM .....	03/00/15	

*Regulatory Flexibility Analysis Required:* No.  
*Agency Contact:* Leigh Pomponio, Program Analyst, Office of Procurement, National Aeronautics and Space Administration, 300 E Street SW., Washington, DC 20746, *Phone:* 202 358-0592, *Email:* [leigh.pomponio-1@nasa.gov](mailto:leigh.pomponio-1@nasa.gov).  
*RIN:* 2700-AE17

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

Final Rule Stage

**398. Collection of Civil Claims of the United States Arising Out of the Activities of NASA (Section 610 Review)**

*Legal Authority:* 31 U.S.C. sec 3711  
*Abstract:* This direct final rule amends 14 CFR 1261 subpart 4 to make

non-substantive changes to change the amount to collect installment payments from \$20,000 to \$100,000 to align with title 31 subchapter II Claims of the United States Government section 3711(a)(2) Collection and Compromise. Subpart 4 prescribes standards for the administrative collection compromise suspension or termination of collection and referral to the Government Accountability Office (GAO) and/or to the Department of Justice for litigation of civil claims as defined by 31 U.S.C. 3701(b) arising out of the activities of designated NASA officials authorized to effect actions and requires compliance with GAO/DOJ joint regulations at 4 CFR parts 101-105 and the Office of Personnel Management regulations at 5 CFR part 550 subpart K. There are also some statute citation and terminology updates. The revisions to this rule are part of NASA's retrospective plan under Executive Order 13563 completed in August 2011. NASA's full plan can be accessed at: <http://www.nasa.gov/open>.  
*Timetable:*

Action	Date	FR Cite
Final Rule .....	03/00/15	

*Regulatory Flexibility Analysis Required:* No.  
*Agency Contact:* James A. Reistrup, Senior Attorney, National Aeronautics and Space Administration, Office of the General Counsel, 300 E Street SW., Washington, DC 20546, *Phone:* 202 358-2027, *Fax:* 202 358-4955, *Email:* [james.a.reistrup@nasa.gov](mailto:james.a.reistrup@nasa.gov).  
*RIN:* 2700-AD83

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

Completed Actions

**399. • NASA Implementation of OMB Guidance for Drug-Free Workplace Requirements (Financial Assistance) (Section 610 Review)**

*Legal Authority:* 51 U.S.C. 20113(C)  
*Abstract:* NASA is implementing, and thereby giving regulatory effect to, the

OMB guidance on drug-free workplace requirements for financial assistance. Further, NASA is relocating existing Agency-specific regulations on drug-free workplace requirements for financial assistance from title 14 to title 2 of the Code of Federal Regulations (CFR), consistent with the Office of Management and Budget's (OMB) guidance assistance. The relocation of existing coverage is an administrative simplification that makes no substantive change in NASA policy or procedures for drug-free workplace requirements for financial assistance.

*Timetable:*

Action	Date	FR Cite
Direct Final Rule	09/22/14	79 FR 56486
Direct Final Rule Effective.	09/22/14	
Final Rule .....	10/21/14	79 FR 62797
Final Rule Effective.	10/21/14	
Comment Period End.	10/22/14	

*Regulatory Flexibility Analysis Required:* No.

*Agency Contact:* Leigh Pomponio, Program Analyst, Office of Procurement, National Aeronautics and Space Administration, 300 E Street SW., Washington, DC 20746, *Phone:* 202 358-0592, *Email:* [leigh.pomponio-1@nasa.gov](mailto:leigh.pomponio-1@nasa.gov).  
*RIN:* 2700-AE15

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