

## National Aeronautics and Space Admin.

## § 1203a.101

by each of the following NASA officials:

- (a) The Associate Administrators for:
  - (1) Aeronautics.
  - (2) Science Missions Directorate.
  - (3) Human Explorations and Operations.
  - (4) International and Interagency Relations.
- (b) The Associate Administrator.
- (c) The General Counsel.
- (d) The Chief Information Officer.
- (e) Other members may be designated upon specific request of the Chairperson.

### § 1203.1002 Ad hoc committees.

The Chairperson is authorized to establish such ad hoc panels or subcommittees as may be necessary in the conduct of the Committee's work.

### § 1203.1003 Meetings.

- (a) Meetings will be held at the call of the Chairperson.
- (b) Records produced by the Committee and the minutes of each meeting will be maintained by the Executive Secretary.

## PART 1203a—NASA SECURITY AREAS

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- 1203a.100 Purpose and scope.
- 1203a.101 Definitions.
- 1203a.102 Establishment, maintenance, and revocation of security areas.
- 1203a.103 Access to security areas.
- 1203a.104 Violation of security areas.
- 1203a.105 Implementation by field and component installations.

AUTHORITY: The National Aeronautics and Space Act of 1958, as amended, 51 U.S.C. 20101 *et seq.*

SOURCE: 38 FR 8056, Mar. 28, 1973, unless otherwise noted.

### § 1203a.100 Purpose and scope.

(a) To insure the uninterrupted and successful accomplishment of the NASA mission, certain designated security areas may be established and maintained by NASA Centers and Component Facilities in order to provide appropriate and adequate protection for facilities, property, or classified/proprietary information and material in the possession of NASA or NASA

contractors located at NASA Centers and Component Facilities.

- (b) This part sets forth:
  - (1) The designation and maintenance of security areas,
  - (2) The responsibilities and procedures in connection therewith, and
  - (3) The penalties that may be enforced through court actions against unauthorized persons entering security areas.

[38 FR 8056, Mar. 28, 1973, as amended at 78 FR 5123, Jan. 24, 2013]

### § 1203a.101 Definitions.

For the purpose of this part, the following definitions apply:

(a) *Security area*. A physically defined area, established for the protection or security of facilities, property, or classified/proprietary information and material in the possession of NASA or a NASA contractor located at a NASA Center or Component Facility, entry to which is subject to security measures, procedures, or controls. Security areas which may be established are:

(1) *Controlled area*. An area in which security measures are taken to safeguard and control access to property and hazardous materials or other sensitive material or to protect operations that are vital to the accomplishment of the mission assigned to a Center or Component Facility. The controlled area shall have a clearly defined perimeter, but permanent physical barriers are not required.

(2) *Limited area*. An area in which security measures are taken to safeguard or control access to classified material or unclassified property warranting special protection or property and hazardous materials or to protect operations that are vital to the accomplishment of the mission assigned to a Center or Component Facility. A Limited Area shall also have a clearly defined perimeter, but differs from a Controlled Area in that permanent physical barriers and access control devices, including walls and doors with locks or access devices, are emplaced to assist the occupants in keeping out unauthorized personnel. All facilities designated as NASA Critical Infrastructure or a key resource will be designated at a minimum as "Limited" areas.

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(3) *Exclusion area.* An area that is a permanent facility dedicated solely to the safeguarding and use of Classified National Security Information. It is used when vaults are unsuitable or impractical and where entry to the area alone provides visible or audible access to classified material. To prevent unauthorized access to an exclusion area, visitors will be escorted or other internal restrictions implemented, as determined by the Center Security Office.

(b) *Temporary security area.* A designated interim security area, the need for which will not exceed 30 days from date of establishment. A temporary security area may also be established, pending approval of its establishment as a permanent security area.

(c) *Permanent security area.* A designated security area, the need for which will exceed 30 days from date of establishment.

[38 FR 8056, Mar. 28, 1973, as amended at 78 FR 5123, Jan. 24, 2013]

### § 1203a.102 Establishment, maintenance, and revocation of security areas.

(a) *Establishment.* (1) Directors of NASA Centers, including Component Facilities and Technical and Service Support Centers, and the Executive Director for Headquarters Operations at NASA Headquarters may establish, maintain, and protect such areas designated as Controlled, Limited, or Exclusion, depending upon their assessment of the potential for unauthorized persons either to:

- (i) Obtain knowledge of classified information,
- (ii) Damage or remove property, or to
- (iii) Disrupt NASA or NASA contractor operations.

(2) The concurrence of the Assistant Administrator for Protective Services NASA Headquarters, shall be obtained prior to the establishment of a permanent security area.

(3)(i) At a minimum, the following information will be submitted to the Assistant Administrator for Protective Services 15 workdays prior to establishment of each permanent security area:

(a) The name and specific location of the NASA Center or Component Facility, or property to be protected.

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(b) A statement that the property is owned by, or leased to, the United States for use by NASA or is the property of a NASA contractor located on a NASA Center or Component Facility.

(c) Designation desired: *i.e.*, controlled, limited, or Exclusion.

(d) Specific purpose(s) for the establishment of a security area.

(ii) For those areas currently designated by the Center as "permanent security areas," the information set forth in paragraph (d)(3)(i) of this section will be furnished to the Assistant Administrator for Protective Services, NASA Headquarters, within 30 workdays of the effective date of this part.

(b) *Maintenance.* The security measures which may be utilized to protect such areas will be determined by the requirements of individual situations. At a minimum, such security measures will:

(1) Provide for the posting of signs at entrances and at such intervals along the perimeter of the designated area as to provide reasonable notice to persons about to enter thereon. The Assistant Administrator for Protective Services, NASA Headquarters, upon request, may approve the use of signs that are now being used pursuant to a State statute.

(2) Regulate authorized personnel entry and movement within the area.

(3) Deny entry of unauthorized persons or property.

(4) Prevent unauthorized removal of classified information and material or property from a NASA Center or Component Facility.

(c) *Revocation.* Once the need for an established permanent security area no longer exists, the area will be returned immediately to normal controls and procedures or as soon as practicable. The Assistant Administrator for Protective Services will be informed of permanent security area revocations within 15 workdays.

[38 FR 8056, Mar. 28, 1973, as amended at 78 FR 5124, Jan. 24, 2013]

### § 1203a.103 Access to security areas.

(a) Only those NASA employees, NASA contractor employees, and visitors who have a need for such access and who meet the following criteria may enter a security area:

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(1) *Controlled area.* Be authorized to enter the area alone or be escorted by or under the supervision of a NASA employee or NASA contractor employee who is authorized to enter the area.

(2) *Limited area.* Possess a security clearance equal to the level of the classified information or material held, discussed, or disseminated on site or is the holder of a positive national agency check if classified material or information is not involved. Personnel who do not meet the requirements for unescorted access may be escorted by a NASA employee or NASA contractor employee who meets the access requirements and has been authorized to enter the area.

(3) *Exclusion area.* Possess a security clearance equal to the classified information or material involved.

(b) The Center Directors, including Component Facilities and Technical and Service Support Centers, and the Executive Director for Headquarters Operations, NASA Headquarters, may rescind previously granted authorizations to enter a security area when an individual's access is no longer required, threatens the security of the property, or is disruptive of Government operations.

[38 FR 8056, Mar. 28, 1973, as amended at 78 FR 5124, Jan. 24, 2013]

**§ 1203a.104 Violation of security areas.**

(a) *Removal of unauthorized persons.* The Center Directors, including Component Facilities and Technical and Service Support Centers, and the Executive Director for Headquarters, NASA Headquarters may order the removal or eviction of any person whose presence in a designated security area is in violation of the provisions of this part or any regulation or order established pursuant to the provisions of this part.

(b) *Criminal penalties for violation.* Whoever willfully violates, attempts to violate, or conspires to violate any regulation or order establishing requirements or procedures for authorized entry into an area designated controlled, limited, or exclusion pursuant to the provisions of this part may be subject to prosecution under 18 U.S.C. 799 which provides penalties for a fine

of not more than \$5,000 or imprisonment for not more than 1 year, or both.

[38 FR 8056, Mar. 28, 1973, as amended at 78 FR 5124, Jan. 24, 2013]

**§ 1203a.105 Implementation by field and component installations.**

If a Director of a NASA Centers and Component Facilities, finds it necessary to issue supplemental instructions to any provision of this part, the instructions must first be published in the *FEDERAL REGISTER*. Therefore, the proposed supplemental instructions will be sent to the Assistant Administrator for Protective Services, NASA Headquarters, in accordance with NASA Policy Directive 1400.2, *Publishing NASA Documents in the FEDERAL REGISTER and Responding to Regulatory Actions for processing*.

[38 FR 8056, Mar. 28, 1973, as amended at 78 FR 5124, Jan. 24, 2013]

**PART 1203b—SECURITY PROGRAMS; ARREST AUTHORITY AND USE OF FORCE BY NASA SECURITY FORCE PERSONNEL**

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- 1203b.100 Purpose.
- 1203b.101 Scope.
- 1203b.102 Definitions.
- 1203b.103 Arrest authority.
- 1203b.104 Exercise of arrest authority—general guidelines.
- 1203b.105 Use of non-deadly physical force when making an arrest.
- 1203b.106 Use of deadly force.
- 1203b.107 Use of firearms.
- 1203b.108 Management oversight.
- 1203b.109 Disclaimer.

AUTHORITY: The National and Commercial Space Program (51 U.S.C.). Sections 20132 and 20133 *et seq.*

SOURCE: 57 FR 4926, Feb. 11, 1992, unless otherwise noted.

**§ 1203b.100 Purpose.**

This regulation implements 51 U.S.C. National and Commercial Space Programs, sections 20133 and 20134, by establishing guidelines for the exercise of arrest authority and for the exercise of physical force, including deadly force, in conjunction with such authority.

[57 FR 4926, Feb. 11, 1992, as amended at 78 FR 5124, Jan. 24, 2013]