

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION (NASA)

Statement of Regulatory Priorities

The National Aeronautics and Space Administration's (NASA) aim is to increase human understanding of the solar system and the universe that contains it and to improve American aeronautics ability. NASA's basic organization consists of the Headquarters, nine field Centers, the Jet Propulsion Laboratory (a federally funded research and development center), and several component installations which report to Center Directors. Responsibility for overall planning, coordination, and control of NASA programs is vested in NASA Headquarters, located in Washington, DC.

NASA continues to implement programs according to its 2018 Strategic Plan. The Agency's mission is to "Lead an innovative and sustainable program of exploration with commercial and international partners to enable human expansion across the solar system and bring new knowledge and opportunities back to Earth. Support growth of the Nation's economy in space and aeronautics, increase understanding of the universe and our place in it, work with industry to improve America's aerospace technologies, and advance American leadership." The FY 2018 Strategic Plan (available at https://www.nasa.gov/sites/default/files/atoms/files/nasa_2018_strategic_plan.pdf) guides NASA's program activities through a framework of the following four strategic goals:

- Strategic Goal 1: Expand human knowledge through new scientific discoveries.
- Strategic Goal 2: Extend human presence deeper into space and to the Moon for sustainable long-term exploration and utilization.
- Strategic Goal 3: Address national challenges and catalyze economic growth.
- Strategic Goal 4: Optimize capabilities and operations.

NASA's Regulatory Philosophy and Principles

The Agency's rulemaking program strives to be responsive, efficient, and transparent. NASA adheres to the general principles set forth in Executive Order 12866, "Regulatory Planning and Review." In addition, Executive Order 13777, "Enforcing the Regulatory Reform Agenda" (February 24, 2017), required NASA to appoint a Regulatory Reform Officer to oversee the implementation of regulatory reform initiatives and policies and establish a Regulatory Reform Task Force (Task Force) to review and

evaluate existing regulations and make recommendations to the Agency head regarding their repeal, replacement, or modification, consistent with applicable law. NASA is doing this work primarily through its work as a signatory to the Federal Acquisition Regulatory Council. The FAR at 48 CFR chapter 1 contains procurement regulations that apply to NASA and other Federal agencies. Pursuant to 41 U.S.C. section 1302 and FAR 1.103(b), the FAR is jointly prepared, issued, and maintained by the Secretary of Defense, the Administrator of General Services, and the Administrator of NASA, under their several statutory authorities.

In the first quarter of fiscal year 2020, NASA completed one deregulatory action per Executive Order 13771, "Reducing Regulation and Controlling Regulatory Costs," with the finalization of revisions to NASA's Freedom of Information Act (FOIA) rule. These revisions make it easier to research and review NASA's FOIA rule before submitting a request and will facilitate both the request process and NASA's production of the requested materials.

NASA is also mindful of the importance of international regulatory cooperation, consistent with domestic law and U.S. trade policy, as noted in Executive Order 13609, "Promoting International Regulatory Cooperation" (May 1, 2012). NASA, along with the Departments of State, Commerce, and Defense, engage with other countries in the Wassenaar Arrangement, Nuclear Suppliers Group, Australia Group, and Missile Technology Control Regime through which the international community develops a common list of items that should be subject to export controls. NASA has also been a key participant in the Administration's Export Control Reform effort resulting in a complete overhaul of the U.S. Munitions List and fundamental changes to the Commerce Control List. New controls have facilitated transfers of goods and technologies to allies and partners while helping prevent transfers to countries of national security and proliferation concerns.

NASA Priority Regulatory Actions

NASA is highlighting three priorities in this agenda and a short summary of each case follows below.

Procedures for Implementing the National Environmental Policy Act (NEPA)

NASA is revising its policy and procedures for implementing the National Environmental Policy Act of 1969 (NEPA) and the Council on Environmental Quality (CEQ) regulations. These proposed

amendments would update procedures contained in the Agency's current regulation at 14 CFR subpart 1216.3, Procedures for Implementing the National Environmental Policy Act, to: align with CEQ's regulations for Federal agencies to implement NEPA that published on July 16, 2020 [85 FR 43304]; incorporate updates based on the Agency's review of its Categorical Exclusions (CatExs) and inputs from CEQ; and streamline the NEPA process to better support NASA's evolving mission.

To Research, Evaluate, Assess, AND Treat (TREAT) Astronauts Act

NASA will finalize provisions of the TREAT Astronauts Act (Pub. L. 115-10), which allows the Agency to pay for medical treatment for former astronauts whose medical condition is determined by NASA to be associated with space flight. The Agency currently provides medical monitoring services to former NASA astronauts and payload specialists through the Lifetime Surveillance of Astronaut Health (LSAH) program at Johnson Space Center (JSC).

Detection and Avoidance of Counterfeit Part (NFS Case 2017-N010)

NASA finalized revisions to the NASA FAR Supplement on August 27, 2020 [85 FR 52924], to implement section 823 of NASA Transition Authorization of 2017 (Pub. L. 115-10) to improve the detection and avoidance of counterfeit electronic parts in the supply chain.