



**NASA
POLICY
DIRECTIVE**

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Responsible Office: BF / Financial Operations Division

Subject: Review, Approval, and Imposition of User Charges

1. POLICY

a. It is NASA policy not to compete with commercial entities in providing (by sale, lease, etc.) services or goods, property, or resources to entities outside the Federal Government. Where a NASA activity provides special benefits to an identifiable recipient above and beyond those which accrue to the public at large, a charge shall be imposed to recover at least the full cost to the Federal Government of providing that service, goods, or resource.

However, exceptions to full-cost recovery are allowed when:

(1) The furnishing of the service without charge is an appropriate courtesy to a foreign country or international organization; or comparable fees are set on a reciprocal basis with a foreign country.

(2) A statute, executive order, or Office of Management and Budget (OMB) Circular, that addresses an aspect of the user charge (e.g. who pays the charge; how much is the charge; where collections are deposited), takes precedence. An example would be provisions of data under the Land Remote Sensing Policy Act of 1992, P.L. 102-555 (15 U.S.C. of 5601 et. seq.), and OMB Circular A-130.

(3) OMB has approved pricing on a less than full-cost basis within the last 4 years.

b. When Federally owned goods or resources or property are leased or sold, a user charge will be based on market prices. Charges are to be determined by the application of sound business management principles, and so far as practicable and feasible in accordance with real estate appraisal methods and techniques used within the Federal Government. Charges for the lease or sale need not be limited to the recovery of cost; they may produce net revenues to the Federal Government.

c. Costs of Federal Government service or property from which a special benefit is derived shall be determined or estimated from the best available records in the Agency, but new cost-accounting systems shall not be established solely for this purpose. The full-cost computation shall cover the direct and indirect costs to the Federal Government of carrying out the activity, including but not limited to the following:

(1) Salaries, employee leave, travel expense, rent, cost of fee collection, postage, maintenance, operation and depreciation of buildings and equipment (unless specifically excluded), and personnel costs other than direct salaries (e.g., retirement and medical insurance).

(2) A proportionate share of the Agency's management and supervisory costs.

d. The maximum fee for a special service shall be no less than its total cost and can be higher based on the value of the service to the recipient.

The cost of providing a service shall be reviewed periodically and the fees adjusted as necessary.

e. To the maximum extent practicable, there shall be uniformity and consistency throughout the entire Agency in the imposition of user charges.

2. APPLICABILITY

a. This directive applies to NASA Headquarters and NASA Centers, including Component Facilities.

b. All services, sales, or use of Government goods or resources are covered with the exception of service provided to other Federal agencies and rentals charged for industrial facilities pursuant to the rates specified in the Federal Acquisition Regulation (FAR) 52.245-9.

3. AUTHORITY

a. 42 U.S.C. 2473(c), Section 203(c) of The National Aeronautics and SpaceAct of 1958, as amended.

b. 31 U.S.C. 9701.

4. REFERENCES

a. 48 C.F.R. Section 52.245-9.

b. Office of Management and Budget (OMB) Circular A-25, dated July 8, 1993.

c. NASA Financial Management Manual (FMM) 9090.

5. RESPONSIBILITY

a. NASA Center Directors and the Associate Administrator for Headquarters Operations are responsible for the following:

(1) Identifying all activities being performed, or proposed to be performed, at the Center and Headquarters, that results in a special benefit to a recipient within the meaning of this directive.

(2) Determining the extent of the special benefits provided or to be provided by such activities.

(3) Determining whether the imposition of a user charge would be in conflict with the basic mission of NASA, and, if an exception is appropriate, submitting a recommendation to the Director, Financial Management Division.

(4) Applying approved cost-accounting principles and procedures (within the context of paragraph 5b), in determining the cost of the service or activity that provides a special benefit.

b. The Director, Financial Management Division, and the Center Chief Financial Officer, are functionally responsible for review, approval, and imposition of user charges or for making an exception NASA-wide and at each Center respectively. In this capacity each is responsible for the following:

(1) Ensuring proper coordination of recommended user charge rates with the Associate Administrator for the Office of Headquarters Operations, appropriate program offices, and such other offices as may be necessary prior to approval of recommended user charge rates.

(2) Ensuring the amount of all user charges complies with the applicable

statutory authority and OMB and NASA user charge policies.

(3) Ensuring that user charges imposed by NASA are uniform to the maximum extent practicable under prevailing local conditions and ensuring proper dispositions of user charges collected.

(4) Issuing implementing procedures and instructions. See NASA FMM 9090.

6. DELEGATION OF AUTHORITY

None.

7. MEASUREMENTS

Data for the measures and metrics will be collected in the quantitative measures review and evaluation process that serve as part of the functional evaluation of financial management activities within the Agency.

8. CANCELLATION

NMI 9080.1D, dated December 31, 1991.

/s/ Daniel S. Goldin

Administrator

ATTACHMENT A: (TEXT)

None.

(URL for Graphic)

None.

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