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NASA Policy Directive

NPD 1900.9D

Effective Date: June 21, 2004
Expiration Date: September 21,
2010

COMPLIANCE IS MANDATORY[Printable Format \(PDF\)](#)

Request Notification of Change (NASA Only)

Subject: Ethics Program Management

Responsible Office: Office of the General Counsel

1. Policy

- a. Agency activities will be conducted to the highest standards of integrity. NASA officers and employees will comply with Federal and Agency ethics laws, regulations, executive orders, and directives.
- b. NASA will establish and maintain an ethics program.

2. Applicability

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

3. Authority

- a. 42 U.S.C. § 2473(c) (Section 203(c) of the National Aeronautics and Space Act of 1958, as amended).
- b. 5 U.S.C. App. §§ 101-111, 401-408, 501-505, Ethics in Government Act of 1978, as amended.
- c. 5 CFR Parts 2634-38, 2640, 2641, and 6901.

4. Applicable Documents

- a. 5 U.S.C. §§ 7301 et seq.
- b. 18 U.S.C. §§ 201-209, 216.
- c. Executive Order 12674 of April 12, 1989, as amended by Executive Order 12731 of October 17, 1990.

d. NASA Procedural Requirements 1900.3 (NPR 1900.3).

5. Responsibility

a. The NASA Administrator is responsible for the following:

(1) Providing leadership and sufficient resources to establish, maintain, and carry out NASA's ethics program.

(2) Performing ethics-related duties not delegated to the General Counsel or other Agency officials.

b. The NASA General Counsel is responsible for the following:

(1) Serving as the Designated Agency Ethics Official (DAEO).

(2) Appointing an Alternate Designated Agency Ethics Official (ADAEO).

(3) Coordinating and managing the ethics program, including, but not limited to, acting as a liaison to the Office of Government Ethics, reviewing public and confidential financial disclosure reports and granting extensions in accordance with 5 CFR 2634 and NPR 1900.3, initiating and maintaining ethics counseling and training programs, and monitoring administrative actions and sanctions. The General Counsel is also responsible for final action on requests for waiver of fees due to late filing of Public Financial Disclosure Reports.

(4) Delegating duties to Deputy Ethics Officials as needed and supervising them in carrying out any delegated functions. Deputy Ethics Officials shall include, at a minimum, the ADAEO, the ethics attorneys assigned to the Associate General Counsel (General), and the Chief Counsel at each NASA Center and Component Facility.

(5) Conducting periodic program reviews of the activities of the Deputy Ethics Officials.

(6) Serving as an Agency designee for Headquarters employees or for matters affecting employees Agencywide for purposes of 5 CFR 2635.

c. The ADAEO is responsible for the following:

(1) Serving in an acting capacity in the absence of the DAEO and managing the ethics program on behalf of the DAEO.

(2) Serving as chair of a Standing Ethics Committee which reports to the DAEO and is composed of all Deputy Ethics Officials or their designated representatives.

(3) Arranging for training for Ethics Officials Agencywide and for the Standing Ethics Committee.

(4) Serving as an Agency designee for Headquarters employees or for matters affecting employees Agencywide for purposes of 5 CFR 2635.

(5) Serving as the Agency's lead subject matter expert in the substantive law of ethics.

d. The Deputy Ethics Officials are responsible for the following:

(1) Carrying out ethics program functions delegated by the DAEO or ADAEO.

- (2) With regard to each NASA Chief Counsel, coordinating and managing the ethics program at the Center level and reviewing Public Financial Disclosure forms (SF 278) and Confidential Financial Disclosure forms (OGE Form 450) and granting extensions for Center personnel, in accordance with 5 CFR 2634 and NPR 1900.3.
- (3) Ensuring Headquarters involvement in ethics actions in accordance with the appropriate "Level of Headquarters Involvement", as specified in NPR 1900.3.
- (4) Participating as members of the Standing Ethics Committee or designating representatives to do so.
- (5) Preparing the foundational ethics training materials on a rotational basis as set forth in NPR 1900.3.

e. The Senior Advisor for Executive Resources is responsible for the following:

- (1) Retaining the completed SF 278.
- (2) Providing copies of OGE Form 201 to individuals requesting access to or copies of SF 278 and providing a timely response to those individuals.

f. NASA Human Resources Directors, both at Headquarters and at the NASA Centers, are responsible for the following:

- (1) Maintaining and updating master lists of personnel at their installation who are required to file SF 278 or OGE Form 450, based on supervisory determination.
- (2) Ensuring timely distribution of SF 278 and OGE Form 450 to all filers at their installation and retaining the completed OGE Form 450.
- (3) Identifying and initiating appropriate action for those personnel who have failed to file.

g. Officials-in-Charge of Headquarters Offices are responsible for submitting to the Director, Headquarters Human Resources Management Division, the names of NASA Headquarters employees whose positions require the filing of OGE Form 450.

h. NASA Center Directors are responsible for the following:

- (1) Submitting to NASA Center Human Resources Directors the names of NASA Center employees whose positions require the filing of OGE Form 450.
- (2) Identifying alternate offices for retention of Center employees' OGE Form 450, if appropriate, and ensuring that any such designated office complies with all requirements associated with that responsibility.
- (3) Acting as Agency designees for Center employees for purposes of 5 CFR 2635. This responsibility may be delegated.

i. All NASA employees, including Special Government Employees and assignees under Intergovernmental Personnel Act agreements, are responsible for the following:

- (1) Complying with all applicable ethics laws, regulations, Executive orders, and other guidance, and avoiding even the appearance of impropriety.
- (2) If identified as an employee required to file a new entrant, annual or termination SF 278 or OGE Form 450, then complying with reporting instructions, and filing an accurate, complete, and timely report.

- (3) Providing a timely, complete, and accurate response to requests for additional information from reviewers, normally within 15 days of the request.
- (4) Promptly paying any assessed late filing fee for failure to timely file an SF 278

6. Delegation of Authority

None.

7. Measurements/Verification

None.

8. Cancellation

NPD 1900.9C, Financial Disclosure Reports, dated April 10, 1998.

/s/ Sean O'Keefe
Administrator

Attachment A: (Text)

None.

(URL for Graphic)

None.

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