



NPD 9080.1H
Effective Date: August 22, 2014
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COMPLIANCE IS MANDATORY

[Printable Format \(PDF\)](#)

Request Notification of Change (NASA Only)

Subject: Review, Approval, and Imposition of User Charges

Responsible Office: Office of the Chief Financial Officer

1. POLICY

a. It is NASA policy to recover the cost to the Federal Government where a NASA activity provides special benefits (e.g., services, goods, or resources) to an identifiable recipient above and beyond those which accrue to the public at large. This policy includes, but is not limited to, sales, agreements, and leases. Determination of special benefits is further explained in Office of Management Budget (OMB) Circular A-25, User Charges.

(1) In providing special benefits, NASA will ensure that:

(a) NASA does not compete with the private sector when supplying special benefits.

(b) NASA promotes efficient allocation of resources by establishing charges that are at least as great as the costs to NASA of providing the special benefit.

(2) This policy is intended to be applied only to the extent permitted by law. Where a statute prohibits the assessment of a user charge on a service or addresses an aspect of the user charge (e.g., who pays the charge, how much is the charge, where collections are deposited, etc.), the statute will take precedence over the policy. The same analysis is applied to executive orders or OMB circulars that address user charges.

b. Exceptions to recovery of cost:

(1) The provision of a free service 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) The NASA Administrator, or designee, recommends and receives approval from OMB that an exception to the general policy is made because: (i) the cost of collecting the fees would represent an unduly large part of the fee for the activity; or (ii) any other condition exists that, in the opinion of NASA's Administrator, or designee, justifies an exception. Exceptions requested by the NASA Administrator, or designee, and granted by OMB shall be for a period of no more than four years unless renewed by the NASA Administrator, or designee.

c. Determining the amount of user charges to assess:

(1) The full-cost or market-price of Federal Government service from which a special benefit is derived will be determined from the best available records in the Agency. New cost-accounting systems need not be established solely for this purpose. Refer to OMB Circular A-25 for general information on determining user charges; refer to NASA Procedural Requirements (NPRs) 9090.1, Reimbursable Agreements, and 9095.1, Working Capital Fund Policies and Requirements, for additional information on assessment of charges applicable to particular types of activities.

(2) To the extent practicable, imposition of user charges shall be uniform and consistent as possible throughout NASA.

(3) When possible, user charges should be set as rates rather than fixed dollar amounts in order to adjust for changes in costs to the Government or changes in market prices of the good, resource, or service provided.

(4) When acting in its capacity as sovereign, NASA shall assess sufficient user charges to cover the full-cost of direct and indirect costs to NASA of carrying out the activity. NASA acts in its capacity as sovereign when it exercises

rights that it possesses by virtue of its status as a Federal agency and that enables NASA to carry out its official functions for the public benefit. Costs may include, but are not limited to, the following:

(a) Personnel costs, including salaries and fringe benefits (e.g., retirement - as outlined in OMB Circular A-11, User Charges - and medical insurance); travel; rent; utilities; cost of fee collection; postage; maintenance and operation; and depreciation of buildings and equipment.

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

(5) When not acting in its capacity as sovereign, NASA shall assess a user charge based on the market price for leasing goods or resources or providing a service. NASA generally does not act in its capacity as a sovereign when it exercises rights (e.g., proprietary) generally enjoyed by private entities. Charges will be determined by the application of sound business management principles and in accordance with recognized appraisal methods and techniques used within the Federal Government. Under these business-type activities user charges need not be limited to the recovery of cost and may produce net revenues.

d. NASA shall collect user charges in advance of, or simultaneously with, the rendering of services or goods unless appropriations and authority are provided that allow for providing the services or goods in advance of collection.

2. APPLICABILITY

a. This NPD is applicable to NASA Headquarters and NASA Centers, including Component Facilities and Technical and Service Support Centers.

b. In this directive, all mandatory actions (i.e., requirements) are denoted by statements containing the term "shall." The terms: "may" or "can" denote discretionary privilege or permission, "should" denotes a good practice and is recommended, but not required, "will" denotes expected outcome, and "are/is" denotes descriptive material.

c. In this directive, all document citations are assumed to be to the latest version, unless otherwise noted.

3. AUTHORITY

a. National Aeronautics and Space Act, 51 U.S.C. §20101.

b. Fee and Charges for Government Services and Things of Value, 31 U.S.C. §9701.

4. APPLICABLE DOCUMENTS AND FORMS

a. Office of Management and Budget (OMB) Circular A11, Preparation, Submission and Execution of the Budget.

b. OMB Circular A-25, User Charges.

c. NASA Procedural Requirements (NPR) 9090.1, Reimbursable Agreements.

d. NPR 9095.1, Working Capital Fund Policies and Procedures.

5. RESPONSIBILITY

a. NASA Center Directors and the Associate Administrator for Mission Support Directorate (AA for MSD) shall:

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

(2) Determine the extent of the special benefits provided or to be provided by such activities and whether it is in competition with the private sector.

(3) Determine whether the imposition of a user charge would be in conflict with the basic mission of NASA and, if an exception is appropriate, submit a recommendation to the Agency Chief Financial Officer (CFO), or designee.

(4) Apply approved cost-accounting principles and procedures in determining the cost of the service or activity that provides a special benefit.

b. The Agency CFO, or designee, and the Center CFOs shall be functionally responsible for review, approval, and imposition of user charges or for applying NASA-wide exceptions. In this capacity, each shall:

(1) Ensure proper coordination of recommended user charge rates with the AA for MSD, appropriate program offices, and other offices, as necessary, prior to approval of recommended user charge rates. If international participation is involved, ensure proper coordination of recommended user charge rates with the Office of International and Interagency Relations prior to approval of recommended user charge rates.

(2) Ensure the calculation of user charges complies with the applicable statutory authority, OMB, and NASA user

charge policies.

(3) Ensure that user charges are as uniform as possible and are collected and accounted for properly.

(4) Issue policy and guidance.

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

NPD 9080.1G, Review, Approval, and Imposition of User Charges, dated October 14, 2004.

/s/ Charles F. Bolden, Jr.
Administrator

ATTACHMENT A: (TEXT)

Full cost is the cost of an output produced by a responsibility segment that is the sum of (1) the costs of resources consumed by the segment that directly or indirectly contributes to the output and (2) the costs of identifiable supporting services provided by other responsibility segments within the reporting entity and by other reporting entities.

Market price is the estimated amount that can be realized by disposing of an item through arm's length transactions in the marketplace; the price (usually representative) at which bona fide sales have been consummated for products of like kind, quality, and quantity in a particular market at any moment of time.

(URL for Graphic)

None.

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