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# NASA Procedural Requirements

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**NPR 1400.1F**  
Effective Date: January 24,  
2014  
Expiration Date: January 24,  
2019

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

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## Subject: NASA Directives and Charters Procedural Requirements

Responsible Office: Mission Support Directorate

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## CHAPTER 4. Process Requirements for Establishing New NASA Directives, Updating Existing Directives, Establishing Interim Directives, and Requesting Relief from Agency-level Directives

### 4.1 Introduction

4.1.1 The NODIS Document Management System (DMS) is NASA's primary tool for creating, revising, reviewing, approving, publishing, and canceling Agency-level directives. The NODIS DMS provides an electronic means to create, review, and comment on draft documents, disposition comments, concur on the directives, approve the directives, control revisions, track document history, generate reports, and publish Agency-level directives. All Agency-level directives are developed through the NODIS DMS.

4.1.2 The NODIS DMS coordination process will not be used to impede the Agency's legal obligations with respect to mission accomplishment, protection of worker health and safety and protection of the public, protection of the environment, or national security.

### 4.2 Requesting Relief from Agency-level Directives

*Note: NPD 1000.0 outlines the principles for establishing the proper set of requirements and for tailoring requirements, as needed. This paragraph discusses the implementation of these principles when requesting relief (e.g., waiver, deviation, tailoring) from requirements that are established by Agency-level directives. For Center-level directives, local instructions apply.*

4.2.1 Only the Administrator or the OIC who is responsible for the Agency-level directive, or delegated authority, approves requests for relief from requirements contained in the Agency-level directive.

4.2.2 The responsible OIC for the directive may delegate this approval authority to a lower level.

*Note: For complex waiver/deviation/tailoring approval procedures, the Responsible OIC may cite another document in the directive.*

4.2.3 The approval authority shall approve/disapprove a request for relief from requirements based on the following criteria:

- a. Is not prohibited by external requirements.
- b. Would not present an undue risk to public health, safety, the environment, or personnel.

c. Is justified under the circumstances (see paragraph 4.2.5 for instructions on how to prepare a justification).

4.2.4 The approval authority shall only approve a request for relief from requirements for a specific period or duration.

*Note: The specific period or duration may be defined by calendar dates (i.e., From March 2006 to March 2008) or by project milestones (e.g., This waiver is in effect until disposal for XYZ Project).*

4.2.5 Requests for relief from requirements shall document the following in the request:

a. Identification of the requirement (directive and specific requirement(s)) for which the relief is requested.

b. Scope (e.g., site, facility, operation, activity) and duration of the request.

c. Justification, including:

(1) Purpose/Rationale.

(2) Whether application of the requirement in a particular circumstance described would conflict with another requirement.

(3) Whether application of the requirement in a particular circumstance would not achieve, or is not necessary to achieve, the underlying purpose of the requirement.

(4) Any other pertinent data or information related to the request (e.g., cost or schedule considerations).

(5) Identification and justification of the acceptance of any additional risk that will be incurred if the request is granted.

d. Requests for relief from environment, safety, health, and security requirements shall also address the following:

(1) A description of any special circumstances that warrant granting of the request, including whether:

(a) Application of the requirement in a particular circumstance would not be justified by any safety and health reason.

(b) Approving the request would result in a health and safety improvement that compensates for any detriment that would result from granting the request.

(c) There exists any other material circumstances not considered when the requirement was adopted for which it is in the public interest to grant the request.

(2) A description of any alternative or mitigating action that will be taken to ensure adequate safety and health and protection of the public, the workers, and the environment for the period the request will be effective.

e. Specific information called for in the requirements relief sections of applicable NPRs and CPRs (e.g., NPR 7120.5).

4.2.6 Approval authorities shall maintain a record of requests for relief granted against Agency-level directives under their responsibility.

*Note: For Center Requirement Waivers, local instructions for creating requirements waivers apply.*

## 4.3 Establishing New Directives

4.3.1 Responsible Offices for Agency-level directives shall use the NODIS DMS to create, coordinate, and approve any new NPD or NPR within the timeline established in paragraph 1.2.6.

4.3.2 Responsible Offices at the Centers shall use local processes to create, coordinate, and approve any Center-level directives.

4.3.3 Responsible Offices shall ensure that their DM is notified prior to beginning the process to establish a new directive.

4.3.4 Prereview Process

4.3.4.1 The prereview process provides an opportunity for review and comment, prior to the formal review, in NODIS, to address substantive issues in order to facilitate the completion of NASA directives within the timeframe allotted. Should a Responsible Office choose to conduct a prereview, the following are standard steps in the prereview process:

a. The Responsible Office for the directive creates a draft of the new or revised directive and distributes it to those affected by the directive and to those offices that the Responsible Office believes should review the draft.

*Note: Local processes for prereview may have an established distribution list for directives prereviews. Consult your Center DM.*

b. The Responsible Office for the directive determines the methodology for conducting the prereview.

*Note: The Open Review System (<https://openreview.gsfc.nasa.gov/ORSHome.cfm>) is a Web-based tool that may be used to coordinate a prereview.*

c. The Responsible Office coordinates, consolidates, and dispositions comments in preparation for the official review of the directive.

*Note: If a prereview is conducted, comments resolved during the prereview can be restricted by the Responsible Office during the official review.*

#### 4.3.5 Prior to Official Review and Approval

4.3.5.1 For Agency-level directives, the Responsible Office shall:

a. Submit directives (i.e., new or revised) to the Office of Human Capital Management, Labor Relations Officer, who will ensure the National union receives a 30-day consultation period, as appropriate, in order to satisfy the Agency's obligation to provide this consultation period. Confirmation that this coordination is completed will be required on NHQ 184 in order for OICMS to accept the directive into the NODIS system. For Center-level directives, contact the Center DM.

b. Ensure that their respective DMs and Audit Liaison Representatives (ALR) coordinate so that any information related to Government Accountability Office (GAO) and/or Office of Inspector General (OIG) recommendations that require revisions be made to directives is appropriately captured on NHQ 184. Confirmation that this coordination is completed will be required on the NHQ 184 in order for OICMS to accept the directive into the NODIS system.

#### 4.3.6 Official Review and Approval

4.3.6.1 The official review and approval processes for Agency- and Center-level directives may be different. Headquarters and Center Officials responsible for establishing an official review and approval process at their location shall ensure that the process includes, at a minimum, the following steps:

a. Release of the draft directive utilizing an approved method and/or forms for an official review.

b. Notification and request for review by specified organizations. This may include provisions to allow organizations an opportunity to request to be added or removed from the review.

*Note: For Agency-level directives, the Inspector General is a mandatory reviewing office. The Responsible Office is responsible for completely dispositioning the Inspector General's comments.*

c. Review by the legal office (General Counsel for Agency-level directives; Chief Counsel for Center-level directives).

d. Sufficient instructions to reviewers to ensure that the review adheres to the approved process and schedule.

e. A mechanism to provide feedback to reviewers indicating how their comments were incorporated or a rationale for not incorporating the reviewer's comments.

f. For Agency-level directives, the Responsible Office shall:

(1) In the request for review, include cost/benefit impacts to implement new requirements, in terms of financial, human resources, and technical (e.g., associated costs to implement new requirements, and what can be gained by implementing the new requirements), and potential for unintended consequences.

*Note: Space for the cost/benefit impacts is provided on the NHQ 184 in NODIS. Appendix F outlines the cost/benefit impacts for implementing requirements added to NPR 1400.1. The Responsible Office may use this as an example of appropriate cost/benefit impacts to be included in all Agency-level directives.*

(2) Disposition all comments on the directives' technical content and cost/benefit impacts provided by reviewing organizations and Centers.

(3) Present unresolved proposed unfunded mandates to the IFRB for resolution in accordance with the Board's process described in Appendix G.

#### 4.3.7 The Concurrence Process

4.3.7.1 The lead DM shall review and record a concurrence decision (e.g., concur or nonconcur) in all Agency-level directives.

*Note: For Headquarters, this is the Agency Directives Management Team, OICMS. For Centers, this is the Center DM. This concurrence demonstrates that the lead DM has verified that the directive was prepared and processed in accordance with the applicable requirements.*

#### 4.3.7.2 Reviewing Offices and Centers shall:

(1) Review, comment, and record a concurrence decision (e.g., concur or nonconcur) on Agency-level directives' cost/benefit impacts described in the NHQ 184, in addition to the technical content contained in Agency-level directives.

(2) Notify Headquarters functional organizations when proposed requirements in directives prevent implementation in an effort to mitigate and resolve and elevate unresolved mandates to the IFRB in accordance with the Board's process in Appendix G.

4.3.7.3 The legal office shall concur on all directives (General Counsel for Agency-level directives; Chief Counsel for Center-level directives).

4.3.7.4 The financial office shall concur on all directives (Chief Financial Officer for Agency-level directives; Center Chief Financial Officer for Center-level directives).

4.3.7.5 The human resources office shall concur on all directives (Human Capital Management for Agency-level directives; Center Human Resources/Human Capital Management for Center-level directives).

4.3.7.6 The procurement office shall concur on all directives (Procurement for Agency-level directives; Center Procurement/Acquisition for Center-level directives).

4.3.7.7 If, during the concurrence process, a reviewing official's nonconcurrence cannot be resolved with the Responsible Office, the Responsible Office shall document the nature of the impasse in the signature package.

4.3.7.8 The Deputy Administrator shall be the decision authority for any impasse with a mandatory concurring office (Office of the General Counsel, Office of the Chief Financial Officer, Office of Human Capital Management, or Office of Procurement).

4.3.7.9 When OICs and Center Directors do not respond (concur/nonconcur) on Agency-level directives by established suspense dates, OICMS will notify respective OICs and CDs that a response is past due and grant a one-day extension for a response.

#### 4.3.8 Signature Package for Agency-level Directives

4.3.8.1 The Responsible Office shall prepare a final signature package that includes the following official files:

a. Evidence of concurrence and the approval of the responsible OIC.

b. The original of the proposed directive.

c. Executive Summary to include the following:

(1) Purpose and justification for new requirement(s).

(2) Summary of significant changes if directive is being revised.

(3) Summary of significant comments received during the review.

(4) Summary of nonconcurrence(s) and attempts toward resolution, per 4.3.8.2 and 4.3.8.3.

(5) Cost/benefit impacts for new resources that may be needed and a justification for why resources need to be expended to identify unfunded mandates.

*Note: Unresolved proposed unfunded mandates are coordinated with the IFRB for resolution.*

- (6) Strategic impact (if any).
  - (7) Description of Presidential initiative/external action (if any).
  - (8) Administrator's Headquarters Action Tracking (HATS) ID (e.g., A/2010-00123).
  - (9) HATS due date.
  - (10) Quality Control Liaison's (QCL) name, number, and date of QCL review.
  - (11) Special Instructions (if any).
  - (12) DM's name and number.
- d. A copy of the directive's review report of all comments and dispositions.
  - e. Any additional documents that convey executive direction and supporting material (e.g., e-mails, verification matrices).
  - f. One copy of each directive to be cancelled by the proposed directive when it is approved.
- 4.3.8.2 If any reviewing official has nonconcurred on the directive, the Responsible Office shall document the disagreement as part of the Executive Summary of the signature package, including:
- a. An explanation for the nonconcurrence.
  - b. A discussion of how the Responsible Office attempted to resolve the impasse and the outcome of those attempts.
  - c. The reason(s) the impasse remains unresolved.
  - d. The recommendation of the Responsible Office.

*Note: Impasses related to costs/benefits information will be coordinated with the respective governing council.*

4.3.8.3 If an impasse is reached between the Responsible Office and the Inspector General, the Responsible Office shall also document the impasse in the Executive Summary of the signature package.

4.3.8.4 The DM shall process the final package for signature according to approved local procedures.

4.3.9 Signature Packages for Center-level directives. Center Responsible Offices shall use established Center instructions to prepare signature packages for Center-level directives.

4.3.10 Final Approval

4.3.10.1 NPDs are signed by the NASA Administrator. NPRs are concurred on by the requesting OIC after review is complete and prior to receiving approvals by officials within the Administrator's office and the NASA Administrator to publish the NPR. CPDs and CPRs are signed by CDs or designees. After receiving all signatures (e.g., approvals and concurrences) a directive becomes an official NASA directive and shall be controlled in an electronic documentation library. Agency-level directives are controlled in NODIS. Center-level directives are controlled in electronic libraries established at each Center and are linked to NODIS.

## **4.4 Revising, Revalidating, or Providing Administrative Corrections to Existing NPDs or NPRs**

4.4.1 Responsible Offices that need to revise an existing directive to reflect changes in policy or procedural requirements shall submit the directive for review and approval in the same manner as a new directive (see paragraph 4.3).

*Note 1: If the change to the directive only impacts limited, discrete portions (paragraphs) of the directive, the Responsible Office may elect to only submit the paragraph changes for formal review and approval, as opposed to the entire document. However, if OICMS determines the changes are too extensive for a paragraph review, a review of the entire document may be required.*

*Note 2: The cost/benefit impacts (see paragraph 4.3.6.1f) for revised directives need only discuss the impact of the revisions, not existing requirements.*

4.4.2 If a directive is due to expire, but the directive is current, necessary, and requires no changes, or only minor administrative changes (e.g., updates to document citations, office or position titles, references to other established policy or externally mandated instructions that may not be altered or edited, or substantive administrative changes that do not add or change policy or requirement), the Responsible Office shall request a revalidation for a period not to exceed five years, using the following process:

*Note 1: Cost/benefit impacts (see paragraph 4.3.6.1f) are not required for revalidations.*

*Note 2: Revalidations will not be allowed on any directive that does not meet the content requirements in this NPR.*

- a. The Responsible Office provides an e-mail request to OICMS with a list of the changes (or an electronic version of the directive showing the administrative changes).
- b. OICMS reviews directive for compliance with this NPR and coordinates corrections with the Responsible Office.
- c. OICMS provides e-mail notification of the intent to revalidate the directive to DMs on an exception-only basis.
- d. If there are no objections, OICMS revalidates the directive, summarizes the administrative changes in the directive's change log, and extends the expiration date for another five years.
- e. If there are objections, OICMS determines whether the objections are valid and either approves the revalidation or requests that the document be submitted for formal review and approval.

4.4.3 If the Responsible Office needs to make minor administrative corrections (e.g., fixing typographical errors) during the life cycle of the directive, the Responsible Office may submit a request for administrative changes, via e-mail to OICMS.

*Note: Only the review and concurrence of OICMS is needed to make administrative corrections. If OICMS determines that the proposed administrative corrections change the directive's requirements, a formal review of the changes/corrections may be required.*

4.4.4 For Center-level directives, Center instructions apply.

## **4.5 Creating NIDs or CIDs**

4.5.1 For NIDs, the Responsible Office shall:

- a. Secure written approval from the OIC and other approvals, as established within the local process for the proposed interim directive (policy/requirement).
- b. Document the urgent requirement for issuing an interim directive.
- c. Submit the interim directive to the DM or designated organization for processing.
- d. Obtain concurrence from the Office of the General Counsel for legal review.
- e. Obtain concurrence from the Office of Human Capital Management to satisfy the Agency's obligation, in accordance with E.O. 13522, to provide the Agency's union representatives with a 30-day national consultation period.
- f. Obtain concurrence from the Office of Procurement if the NID impacts NASA contracts, contractors, grants, or grantees.
- g. Obtain concurrence from the Office of the Chief Financial Officer to ensure proper financial consideration.

*Note: For Agency-level interim directives, consult OICMS or the DM when preparing NIDs.*

4.5.2 OICMS shall include NIDs in the NODIS Library.

4.5.3 For CIDs, Responsible Offices shall follow Center instructions for coordinating and publishing, to include satisfying the requirements in accordance with E.O. 13522, to provide local union representatives with consultation period.

*Note: Consult your Center DM when preparing CIDs.*

## 4.6 Hyperlinking Other Documentation to the NODIS Library or Center-level Directives Library Systems

4.6.1 When a Responsible Office determines that a NASA standard, work instruction, or guide is useful, but not appropriate for inclusion as a directive, the Responsible Office may use hyperlinking to make the related documentation available through NODIS.

- a. For Agency-level directives, the Responsible Office shall coordinate this with OICMS.
- b. For Center-level directives, the Responsible Office shall coordinate this with the Center's DM.

## 4.7 Case Files

4.7.1 OICMS shall manage Agency-level directives case files that include all the material included in the Approving Official's Signature Package.

*Note: See paragraph 4.3.8.1 for a list of materials that are included in a signature package and Appendix C Verification A for assembly of this material.*

4.7.2 Center-level directives case files shall be managed according to the Center's process.

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