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NASA Procedural Requirements

COMPLIANCE IS MANDATORY

NPR 2210.1A

Effective Date:
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Request Notification of Change

(NASA Only)

Subject: External Release of NASA Software w/Change 1 (3/29/04)

Responsible Office: Innovative Partnership Program Office

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Preface

P.1. PURPOSE

This NASA Procedural Requirements (NPR) Documents establishes procedures and responsibilities for the release, under the policy set forth in NASA Policy Directive (NPD) 2210.1, of software created by or for NASA. Software created by or for NASA arises from work performed by employees of NASA and NASA contractors, either solely or jointly among multiple parties, and from work performed by NASA employees working with non-federal parties with or without an underlying agreement.

P.2. APPLICABILITY AND SCOPE

a. This NPR is applicable to NASA Headquarters and Centers, including Component Facilities.

b. This NPR is applicable to the protection and release of all unclassified software:

(1) Created exclusively by, or jointly with, NASA employees as part of the NASA employee's official duties;

(2) Created by a non-federal party where intellectual property rights to the software have been assigned to the U. S. Government, or have been licensed to the Government where the license authorizes the Government to grant sublicenses; or

(3) In the lawful possession of NASA, except as otherwise stated in subparagraphs d through h.

- c. This NPR applies to new software, or any preexisting software that may have significant commercial value or utility to potential private or public sector users or applications outside of NASA.
- d. Reserved
- e. Reserved
- f. This NPR does not apply to computer databases or web pages with integrated databases, data input to, or output from a computer program (such as data models), software documentation, web pages, or commercial software as these terms are defined in Section 2.1. In accordance with applicable laws and regulations, Centers have discretionary authority to publicly release computer databases and software documentation depending on the Government's rights and obligations with regard to such data. Upon request, and depending on the Government's intellectual property rights, NASA computer programs that are used to read and manipulate computer databases should be publicly released with the computer databases, but only if such computer programs are not commercially available.
- g. This NPR is applicable to JPL to the extent specified in its contract.
- h. In general, Software, as defined in Section 2.1, is not considered a record under the Freedom of Information Act (FOIA) and, therefore, is not subject to the mandatory release requirements of the FOIA. Requests for software under the FOIA should be coordinated between the Center FOIA Office and the Center Software Release Authority.

P.3. AUTHORITY

Authority for policy described or referenced herein is granted by NPD 2210.1, "External Release of NASA Software."

P.4. REFERENCES

- a. NPD 1440.6, NASA Records Management.
- b. NPR 1441.1, NASA Records Retention Schedules.
- c. NPD 2000.1, Authority To Take Certain Actions For The General Council.
- d. NPD 2091.1, Inventions Made By Government Employees.
- e. NPD 2092.1, Royalties and Other Payments Received by NASA from the Licensing or Assignment of Inventions
- f. NPR 2092.1, Distribution of Royalties Received by NASA from the Licensing or Assignment of Inventions
- g. NPD 2210.1, External Release of NASA Software.
- h. NPD 2810.1, Security of Information Technology.
- i. NPR 2810.1, Security of Information Technology.
- j. NPD 2820.1, NASA Software Policies.

- k. NPD 2190.1, NASA Export Control Program (NASA/ECP).
- l. NPR 2190.1, NASA Export Control Program.
- m. NPD 2110.1, Foreign Access to NASA Technology Transfer Materials.
- n. NPD 7120.4, Program/Project Management.
- o. NPR 7120.5, Program and Project Management Processes and Requirements.
- p. NPD 7500.2, NASA Technology Commercialization Policy.
- q. NPR 7500.1 NASA Technology Commercialization Process.
- r. NPR 8730.4, Software Independent Verification and Validations (IV&V) Policy
- s. PIC 01-04, Guidance for Headquarters Acquisition Strategy Meetings.

P.5 CANCELLATION

NPR 2210.1, dtd January 4, 1999.

/s/ Craig E. Steidle
Associate Administrator for Exploration Systems

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