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# NASA Procedural Requirements

**COMPLIANCE IS MANDATORY FOR NASA EMPLOYEES****NPR 2081.1B**Effective Date: June 23,  
2021Expiration Date: June 23,  
2026[Printable Format \(PDF\)](#)

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**Subject: Nondiscrimination in Federally Assisted and Conducted Programs****Responsible Office: Office of Diversity and Equal Opportunity**[| TOC](#) | [Preface](#) | [Chapter1](#) | [Chapter2](#) | [Chapter3](#) | [AppendixA](#) | [AppendixB](#) | [ALL](#) |

## Preface

### P.1 Purpose

The purpose of this directive is to establish procedural requirements of the National Aeronautics and Space Administration (NASA's or "the Agency") Office of Diversity and Equal Opportunity (ODEO) on:

- a. Processing administrative complaints of discrimination filed with NASA in any program or activity assisted by NASA, excluding those covered under the Department of Education/National Aeronautics and Space Administration/Department of Justice, "Agreement Between National Aeronautics and Space Administration and Department of Education to Delegate Certain Civil Rights Compliance Responsibilities for Elementary and Secondary Schools and Institutions of Higher Education," 52 FR 43385 (November 12, 1987). This NPR does not alter the agreement between NASA and the Department of Education designating the Department of Education responsible for certain specific civil rights complaint investigation duties, with respect to elementary and secondary schools and institutions of higher education.
- b. Conducting civil rights compliance reviews to ensure programs and activities receiving NASA financial assistance are compliant with applicable civil rights laws and regulations.
- c. Processing administrative complaints of discrimination on the basis of disability filed under The Rehabilitation Act of 1973, as amended, 29 U.S.C. §§ 701, et seq., Sec. 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 701 et seq., and Sec. 508 of the Rehabilitation Act of 1973, 29 U.S.C. § 794d, regarding any program or activity conducted by NASA.
- d. Processing administrative complaints of discrimination filed under DOJ, Guidance Document: Ensuring Equal Opportunity in Federally Conducted Education and Training Programs, E.O. 13160, 66 FR 5397 (January 18, 2001) regarding any education or training program or activity conducted by NASA.
- e. Processing reports of harassment pursuant to NASA's award term and condition published in NASA, Reporting Requirements Regarding Findings of Harassment, Sexual Harassment, Other Forms of Harassment, or Sexual Assault, 85 FR 13934 (March 10, 2020).
- f. Conducting internal compliance reviews of Center equal opportunity (EO) operations, including EO requirements pertaining to NASA conducted programs.
- g. This NPR does not alter any NASA employee's rights to due process or redress related to a discrimination charge as currently guaranteed under any locally negotiated bargaining agreements or established practices.

### P.2 Applicability

- a. This directive is applicable to NASA Headquarters and NASA Centers, including Component Facilities and Technical and Service Support Centers. This language applies to the Jet Propulsion Laboratory (JPL), a Federally

Funded Research and Development Center, and other contractors only to the extent specified or referenced in the applicable contracts.

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 is not required, "will" denotes expected outcome, and "are/is" denotes descriptive material.

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

d. This directive is applicable to NASA directives developed or revised after the effective date of this NPR.

### **P.3 Authority**

a. The National Aeronautics and Space Act, 51 U.S.C. § 20113(e),

b. Federal Grant and Cooperative Agreements Act of 1977, 31 U.S.C § 6301 et seq.

c. Nondiscrimination on the Basis of Race, Sex, Color, National Origin, Disability, Religion, Age, Sexual Orientation, and Status as a Parent in Federally Conducted Education and Training Programs, E.O. 13160, 3 CFR 279 (2000).

d. Improving Access to Services for Persons with Limited English Proficiency, E.O. 13166, 3 CFR 289 (2000).

e. Nondiscrimination in Federally-Assisted Programs of NASA - Effectuation of Title VI of the Civil Rights Act of 1964, 14 CFR pt. 1250.

f. Non-discrimination on the Basis of Disability, 14 CFR pt. 1251.

g. Non-discrimination on the Basis of Age in Programs and Activities Receiving Federal Financial Assistance, 14 CFR pt. 1252.

h. Non-discrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 14 CFR pt. 1253.

i. Guidelines for the Enforcement of Title VI, Civil Rights Act of 1964, 28 CFR § 50.3.

j. Coordination of Enforcement of Nondiscrimination in Federally Assisted Programs, 28 CFR pt. 42, subpt. F.

### **P.4 Applicable Documents and Forms**

a. The Privacy Act of 1974, 5 U.S.C. § 552a.

b. The Administrative Procedure Act, 5 U.S.C. § 701, et seq.

c. The Violence Against Women Act, 34 U.S.C. § 12291.

d. DOJ, Civil Rights Division, "Title VI Legal Manual" 42 U.S.C. § 2000d (September 1998).

e. NASA, Title VI of the Civil Rights Act of 1964, as Amended: Policy Guidance on the Prohibition Against National Origin Discrimination as It Affects Persons With Limited English Proficiency, 68 FR 70039 (Dec. 16, 2003).

f. Department of Education/National Aeronautics and Space Administration/Department of Justice, "Agreement Between National Aeronautics and Space Administration and Department of Education to Delegate Certain Civil Rights Compliance Responsibilities for Elementary and Secondary Schools and Institutions of Higher Education," 52 FR 43385 (November 12, 1987).

g. DOJ, E.O. 13160 Guidance Document: Ensuring Equal Opportunity in Federally Conducted Education and Training Programs, 66 FR 5397 (January 18, 2001).

h. NASA, Reporting Requirements Regarding Findings of Harassment, Sexual Harassment, Other Forms of Harassment, or Sexual Assault, 85 FR 13934 (March 10, 2020).

i. NPD 1210.2, NASA Surveys, Audits, and Reviews Policy.

j. NRRS 1441.1, NASA Records Retention Schedule.

k. NASA Form 1206, Assurance of Compliance with the National Aeronautics and Space Administration Regulations Pursuant to Nondiscrimination in Federally Assisted Programs.

l. U.S. Commission on Civil Rights, Federal Title VI Enforcement to Ensure Nondiscrimination in Federally Assisted Programs, June 1996 (USCCR Title VI Report), p. 147.

## P.5 Measurement/Verification

- a. In order to determine if the process specified in this NPR is functioning effectively and efficiently, ODEO will periodically evaluate the operations and success of its External Civil Rights Programs including policy, technical assistance, and pre- and post-award compliance auditing in accordance with the requirements of this directive.
- b. Consistent with the Department of Justice and Department of Health and Human Services' reporting requirements, ODEO submits annual reports on its compliance efforts as described in The Age Discrimination Act of 1975, 42 U.S.C. §§ 6101, et seq., and have in place and periodically update Agency and Center Language Assistance Plans covering NASA conducted programs and activities.
- c. ODEO will maintain case files pertaining to this NPR, in accordance with NRRS 1441.1, NASA Records Retention Schedule.

## P.6 Cancellation

NPR 2081.1A, Nondiscrimination in Federally Assisted and Conducted Programs, dated May 11, 2010.

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