



NASA Policy Directive

NPD 9080.1FEffective Date: October 14, 2004
Expiration Date: October 14, 2009**COMPLIANCE IS MANDATORY**[Printable Format \(PDF\)](#)

Subject: Review, Approval, and Imposition of User Charges

Responsible Office: Office of the Chief Financial Officer

1. POLICY

a. It is NASA policy not to compete with commercial entities in providing services or goods, property or resources to entities outside the Federal Government. The policy includes, but is not limited to, sales or leases. Where a NASA activity provides special benefits to an identifiable recipient above and beyond those which accrue to the public at large, a charge shall be imposed to recover the full-cost to the Federal Government for providing the service, goods, or resource.

However, exceptions to full-cost recovery are allowed when:

(1) The furnishing of the service without charge 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) A statute, executive order, or Office of Management and Budget (OMB) Circular that addresses an aspect of the user charge (e.g., who pays the charge; how much is the charge; where are collections deposited?), takes precedence. An example would be provisions of data under the Land Remote Sensing Policy Act, 15 U.S.C. 5601 et seq., and Management of Federal Information Resources, OMB Circular A-130, revised.

(3) OMB approves the NASA Administrator or designee's recommendation that an exception to the general policy be 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 his designee, justifies an exception.

(4) All exceptions shall be for a period of no more than four years unless renewed by the Agency heads or their designee for exceptions granted under OMB Circular A-24, revised, Section 6c(1), or the Office of Management and Budget for exceptions granted under OMB Circular A-25, revised, Section 6c(2), after a review to determine whether conditions warrant their continuation.

b. When the Government, not acting in its capacity as sovereign, is leasing goods or resources or is providing a service, a user charge will be based on market prices. Charges are to be determined by the application of sound business management principles, and so far as practicable and feasible, in accordance with real estate appraisal methods and techniques used within the Federal Government. Charges for the lease or sale need not be limited to the recovery of cost; they may produce net revenues to the Federal Government.

c. The full-costs of Federal Government service from which a special benefit is derived shall be determined or estimated from the best available records in the Agency, but new cost-accounting systems need not be established solely for this purpose. OMB Circular A-25 contains information for determining when special benefits exist. The full-cost computation shall cover the direct and indirect costs to the Federal Government of carrying out the activity, including but not limited to the following:

(1) Salaries, fringe benefits (i.e., retirement and medical insurance), travel expense, rent, cost of fee collection, postage, maintenance and operation, and depreciation of buildings and equipment (unless specifically excluded).

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

d. The fee for a special service shall be no less than its total cost and can be higher based on the value of the service to the recipient. The cost of providing a service shall be reviewed biennially and the fees adjusted as necessary.

e. To the extent practicable, imposition of user charges shall be uniform and consistent as possible throughout the

Agency.

2. APPLICABILITY

- a. This directive applies to NASA Headquarters and NASA Centers, including Component Facilities.
- b. All services, sales, or use of Government goods or resources are covered, with the exception of service provided to other Federal agencies and rentals charged for industrial facilities pursuant to the rates specified in the Federal Acquisition Regulation (FAR) 52.245-9.

3. AUTHORITY

- a. Section 203(c) of the National Aeronautics and Space Act of 1958, 42 U.S.C. § 2473(c), as amended.
- b. Fee and Charges for Government Services and Things of Value, 31 U.S.C. § 9701.

4. REFERENCES

- a. Use and Charges Clause, 48 C.F.R. § 52.245-9.
- b. Office of Management and Budget (OMB) Circular A-25, User Charges, dated July 8, 1993.
- c. NASA Financial Management Manual (FMM) 9090, Reimbursables and Other Customer Agreements.
- d. Interim Policy for Reimbursable Agreements General and Administrative Costs, dated May 25, 2004.

5. RESPONSIBILITY

a. NASA Center Directors and the Associate Administrator for Institutions and Management are responsible for the following:

- (1) Identifying 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) Determining the extent of the special benefits provided or to be provided by such activities.
- (3) Determining whether the imposition of a user charge would be in conflict with the basic mission of NASA and, if an exception is appropriate, submitting a recommendation to the Chief Financial Officer or designee.
- (4) Applying approved cost-accounting principles and procedures in determining the cost of the service or activity that provides a special benefit.

b. The Agency Chief Financial Officer or designee and the Center Chief Financial Officer are functionally responsible for review, approval, and imposition of user charges or for making the exception NASA-wide. In this capacity, each is responsible for the following:

- (1) Ensuring proper coordination of recommended user charge rates with the Associate Administrator for Institutions and Management, appropriate program offices, and such other offices as may be necessary prior to approval of recommended user charge rates. If international participation is involved, ensuring proper coordination of recommended user charge rates with the Office of External Relations prior to approval of recommended user charge rates.
- (2) Ensuring the amount of all user charges complies with the applicable statutory authority and OMB and NASA user charge policies.
- (3) Ensuring that user charges imposed by NASA are as uniform as possible and ensuring proper dispositions of user charges collected.
- (4) Issuing implementing procedures and instructions.

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 9080.1E, dated April 27, 2004.

/s/ Sean O'Keefe
Administrator

ATTACHMENT A: (TEXT)

None.

(URL for Graphic)

None.

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