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Space Administration
Headquarters
Washington, DC 20546-0001



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Mission Support Directorate

Reply to Attn of:

TO: Distribution

FROM: Associate Administrator for Mission Support Directorate

SUBJECT: Rules of Engagement for Unfunded Mandates – Approved Process

On June 6, 2013, the Mission Support Council (MSC) approved the Rules of Engagement for Elevation and Consideration of Unfunded Mandates (UFMs) for immediate implementation within the Agency. The process provides HQ functional organizations and Field Centers a mechanism to elevate UFMs occurring within the Mission Support Cross Agency Support (CAS) Account that cannot be absorbed within existing appropriations and which could not be mitigated or resolved through existing Agency processes. The approved UFM Rules of Engagement process flow is documented in the enclosure.

The UFM process requires the establishment of an Integrated Functional Review Board (IFRB), a decision-making body chaired by the Associate Administrator for Mission Support Directorate, with representation from Field Center Associate Directors/Field Center Mission Support Deputy Directors, Headquarters mandate functional owner(s), the Chief Financial Officer, and adhoc participants deemed necessary by the Chair. The IFRB will review and evaluate elevated UFMs for the purpose of adjudication and disposition by the IFRB Chair. The IFRB Chair can raise resolution to the Mission Support Council if the Chair deems a higher level of discussion or resolution is required. The IFRB charter will be formalized through the established Agency process for charter review and approval. Additionally, NASA Procedural Requirement 1400.1E, NASA Directives and Charters Procedural Requirements will be updated to incorporate this new process.

I appreciate your support in the implementation of the Rules of Engagement for Elevation and Consideration of UFMs. Please contact me if you have any questions or need clarification on the subject.

A handwritten signature in black ink that reads "Woodrow Whitlow, Jr." with a stylized flourish at the end.

Woodrow Whitlow, Jr.

Enclosure

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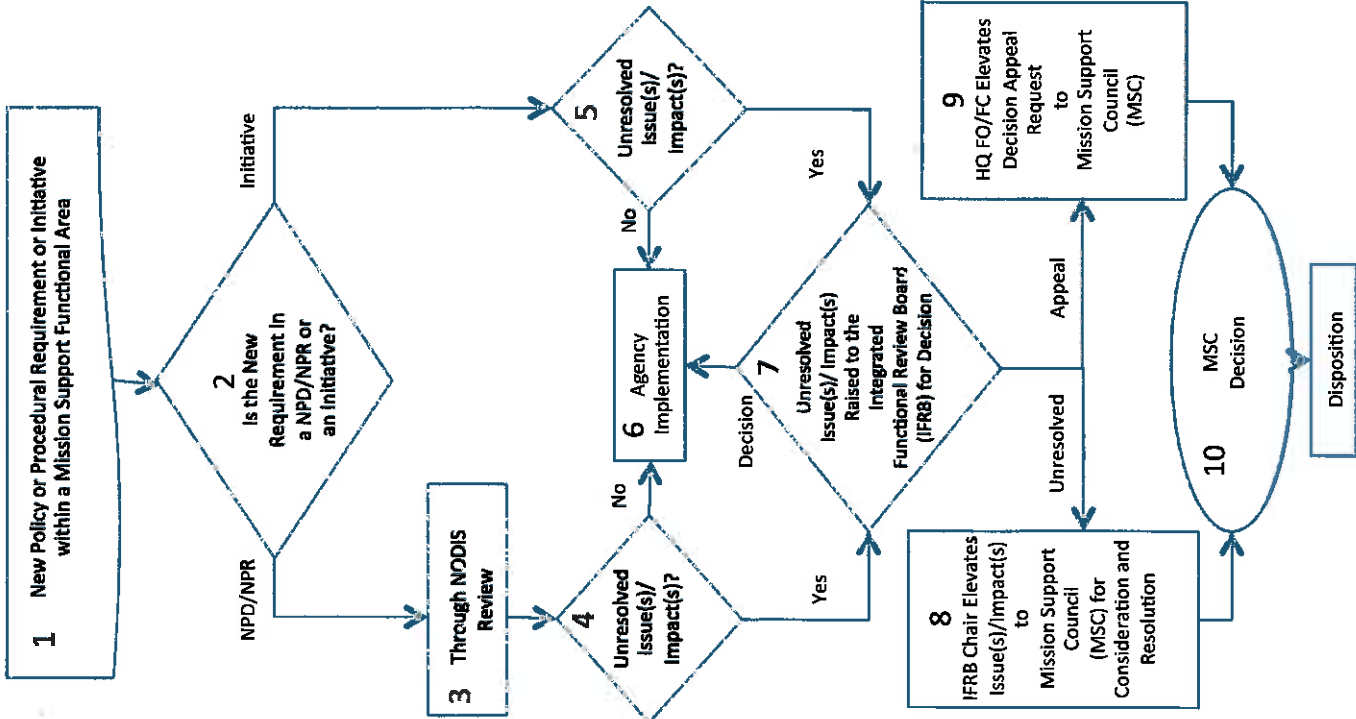
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Rules of Engagement for Elevation and Consideration of Mission Support Unfunded Mandates



The Rules of Engagement (ROE) for Elevation and Consideration of Mission Support Unfunded Mandates (UFMs) are to be used for new policy and procedural requirements and new initiatives that meet the UFM definitions as they apply to the Mission Support Cross Agency Support (CAS) Appropriation Account. This process (Steps 7 through 10 on the flow chart) is to be used only after all existing avenues of mitigation and resolution (Steps 4 and 5) have been exhausted by the Field Center or HQ Functional Organization. This process is meant for new requirements and should not be used to address existing requirements unless the magnitude of the existing requirements have grown beyond the ability to be absorbed within the current appropriation account.

UFM Definitions within the Mission Support CAS Appropriation Account:

Internal UFM: An Agency-directed action, such as the establishment of a new requirement, a change in charging practices without an adjustment made across accounts at the Agency level, or a requirement change, that compels recipient organizations to expend any type of resources (procurement, labor) without being provided agency funds to cover the direct and indirect costs of implementing the action.

External UFM: Federal statutes, regulations and policies that require parties to expend resources to achieve executive, legislative and judicial goals without being provided the federal funding to cover the costs.

The ROE for UFM Process Flow is designed to show the relationship between existing processes and the new UFM elevation process. The ROE for UFM process flow step descriptions are provided to aid understanding in the overall process flow.

Process Flow Step Descriptions

Step 1: A policy or procedural requirement or initiative generates a new requirement(s) that did not previously exist and has implementation impacts on one or more Agency organizations.

Step 2: The owning Headquarters Functional organization determines whether the new requirement will be codified in a Policy or Procedural Directive, or whether it will be implemented through some other means, such as a letter of direction.

Step 3: Policy or Procedural requirements are issued through the NODIS Review process. A requirement is determined to be "new" when a "shall statement" that did not previously exist is levied inside the directive.

Step 4: The NODIS review process includes existing mechanisms that allow Field Centers and HQ Functional Offices to concur-with comment or non-concur with new requirements. This step includes resolution efforts to mitigate or resolve the issue once a concur-with-comment or non-concur is posted. Field Centers and HQ Functional Offices should maximize efforts to resolve resource and implementation issues during this process step.

Step 5: Initiatives that contain new requirements can be communicated through various methods within the Agency. During discussions between HQ and Field Centers, resolution efforts should be maximized to mitigate or resolve resource or implementation issues associated with the new requirements.

Step 6: Agency implementation of a new requirement.

Step 7: When resource or implementation issues cannot be resolved between a Field Center and the HQ Functional Office(s) requirements owner(s), the Field Center Associate Director/Mission Support Deputy Director or the HQ Functional Associate Administrator (AA) can elevate the issue to the Mission Support Directorate (MSD) AA for consideration. The MSD AA will convene the Integrated Functional Review Board (IFRB) which will serve as the Agency's assessment and decision-making body for consideration and disposition of CAS UFM's. The IFRB Chair will have final decision authority on resolution for issues assessed and discussed by the IFRB.

Step 8: If the IFRB Chair cannot reach a decision on UFM issue resolution, the Chair will elevate the issue to the Mission Support Council (MSC) for consideration and resolution.

Step 9: If a HQ Functional Office (FO) or Field Center (FC) does not agree with the issue resolution by the IFRB Chair, and wants to appeal the decision, the HQ, FO or FC will request consideration for decision appeal to the MSC.

Step 10: The MSC will serve as the final decision authority should Steps 8 or 9 be invoked; with disposition as appropriate.