

The rules are defined in NPR 1900.3, Chapter 4 – I put in red the groups of people that normally fall into that category. But not limited to those areas.

(1) Employees classified at the GS-15 level or below under 5 U.S.C. § 5332, or at comparable pay levels under other authority, regardless of grade, and military personnel serving in pay grades below O-7, whose duties and responsibilities require that the employee participates personally and substantially through decision or the exercise of significant judgment in making a Government decision or taking Government action regarding the following:

- (i) Contracting or procuring, including the evaluation or selection of contractors; **(this is our procurement division)**
- (ii) the negotiation, approval, or award of contracts; **(procurement and source board officials)**
- (iii) the oversight of activities performed by contractors, including administering, monitoring, auditing, and inspecting of contractors and contract activities; **(this would be contracting officer representatives (COR's and Task Order Managers (TOMs), employees who have authority for award fee input, supervision over a contract that is not the COR) and**
- (iv) the initiation or approval of requests to procure supplies, equipment, or services, other than those common items from NASA or General Services Administration sources. **(this would be the P-Card holders, Aces representatives, property, etc.)**

(ii) Evaluating or selecting grant proposals; administering or monitoring grants or subsidies or agreements, including Space Act Agreements, and including those with educational institutions and other non-Federal organizations. **(employees who are working directly with SAA's, education, or outside entities – PX employees, AD employees)**

(iii) Regulating or auditing any non-Federal entity. **(auditors)**

(iv) Using or disposing of excess property. **(property disposal employees)**

(v) Establishing or enforcing safety standards and procedures. **(safety and mission assurance employees)**

(2) Employees classified at the GS-15 level or below under 5 U.S.C. 5332, or at comparable pay levels under other authority, and who are identified by the supervisor as holding positions requiring the incumbent thereof to exercise judgment in making Government decisions **(supervisors or working with SAA's)** or taking actions in which such decisions or actions may have a direct and substantial economic impact on the interest of any non-Federal entity; or whose positions are otherwise identified as requiring the employee to file a report to avoid a real or apparent conflict of interest **(employees assigned**

to work a source board), and to carry out the purposes behind any statute, Executive order, rule, or regulation applicable to or administered by that employee (e.g., employees whose duties involve investigating violations of criminal or civil law) (lawyers, accounting, or IG).