



NASA Procedural Requirements

COMPLIANCE IS MANDATORY FOR NASA EMPLOYEES

NPR 3300.1C

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Subject: Employment, Appointment Authorities, and Details

Responsible Office: Office of the Chief Human Capital Officer

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Chapter 3. Employment of Experts and Consultants

3.1 General Provisions

3.1.1 Center Directors and Officials-in-Charge are authorized to certify appointments and extensions of appointments of experts and consultants and set pay. This authority may be delegated in accordance with NPD 3000.1.

3.1.2 HR Directors shall establish controls to monitor the reemployment of experts or consultants employed on an intermittent basis to ensure that the employment does not exceed the 130-day limit in a service year in accordance with 5 CFR § 304.103(c)(2)(i).

3.1.3 This chapter applies to the appointment of experts and consultants as Federal employees; it does not apply to the procurement of services by contracts under Federal procurement laws.

3.1.4 This authority is used to obtain expert services that are not available within the Agency or another Agency, for example: outside points of view and varied perspectives on critical issues; information on developments in industry; academic and foundation research; opinions of noted national and international authorities; participation of members from the general public (especially scientists and engineers) on Agency programs and projects; and assistance in the evaluation of highly technical and complex contract proposals.

3.2 Employment Conditions and Restrictions

3.2.1 Agency officials shall not use consulting services:

- a. To aid in influencing or enacting legislation.
- b. That give preferential treatment to former Federal employees.
- c. That use cooperative agreements as legal instruments for the consulting service arrangement.

Note: Reference 5 CFR § 304.103(b) for further information on prohibited use of experts or consultants.

3.2.2 An expert or consultant serving under a temporary appointment may have a full-time work schedule, (i.e., a 40-hour workweek) or an established part-time work schedule. They may also serve on intermittent appointments, without a regularly scheduled tour of duty.

3.2.3 In determining rates of compensation for an expert or consultant, consideration should be given to factors such as the importance, complexity, or urgency of the subject matter; market research on salaries for similar work (for comparison purposes); and the organizational level.

3.2.4 The statutory prohibitions on conflicts of interest apply. However, an expert or consultant who is expected to work no more than 130 days in any period of 365 consecutive days may qualify for treatment as a Special Government Employee. Such employees are subject to most, but not all, of the prohibitions that apply to regular

employees. Management should consult with an ethics official for guidance.

3.2.5 If a security clearance is required, there may be some flexibility in initiating investigations on prominent persons who have performed frequent services for the Government. Management officials shall consult with the local security officials for guidance.

3.3 Documenting Employment

3.3.1 HR Offices shall:

a. Assist management in completing the NASA Form 452, Request for Services of Consultant or Expert. This form is required to request and appoint experts and consultants.

b. Retain NASA Form 452 in the employee's official personnel folder.

c. As the basis for the determination of the need for the services of an expert or consultant, ensure NASA Form 452 clearly states:

(1) The duties to be performed.

(2) Whether the employee's services are advisory (consultant) or operational (expert) in nature.

(3) The specific knowledge, skills, and expertise required.

d. Ensure appropriate administrative records are maintained of actual days worked and brief descriptions of services performed. The organization where the expert or consultant renders service is responsible for maintaining records. Records and reports maintained by advisory committees may be used to satisfy this requirement for advisory committee members.

3.3.2 Individuals appointed as experts or consultants are required to complete a Statement of Financial Interest prior to employment in accordance with NPR 1900.3.

3.4 Reporting Requirements

3.4.1 The Agency is required to provide an annual report to OPM on the number of days each paid expert or consultant was employed and the total amount paid in accordance with 5 CFR 304.107.

3.4.1.1 Centers will maintain data in appropriate data systems; the Chief Human Capital Officer will gather data from applicable personnel and pay data systems and prepare the Agency's annual consolidated report.

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