

National Aeronautics and Space Admin.

§ 1214.102

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AUTHORITY: Section 203(c)(1), National Aeronautics and Space Act of 1958, as amended (42 U.S.C. 2473(c)).

Subpart 1214.1—General Provisions Regarding Space Shuttle Flights of Payloads for Non-U.S. Government, Reimbursable Customers

AUTHORITY: Sec. 203, Pub. L. 85-568, 72 Stat. 429, as amended (42 U.S.C. 2473); Sec. 201(b) Pub. L. 87-624, 76 Stat. 421 (47 U.S.C. 721(b)).

SOURCE: 57 FR 4545, Feb. 6, 1992, unless otherwise noted.

§ 1214.100 Scope.

This subpart 1214.1 sets forth general provisions regarding flight of Space Shuttle cargo bay payloads for non-U.S. government, reimbursable customers. It does not apply to Small Self-Contained Payloads flown under the provision of subpart 1214.9 or payloads flown on a space-available basis on NASA-provided Hitchhiker carriers.

§ 1214.101 Eligibility for flight of a non-U.S. government reimbursable payload on the Space Shuttle.

To be eligible for flight on the Space Shuttle, non-U.S. government, reim-

bursable payloads must meet criteria for use of the Shuttle established by U.S. law and public policy. The NASA Administrator will determine and/or certify the compliance of the payload with these criteria. To qualify for flight on the Space Shuttle, non-U.S. government, reimbursable payloads must require the unique capabilities of the Shuttle, or be important for either national security or foreign policy purposes.

§ 1214.102 Definitions.

(a) *Customer*. Any non-U.S. government person or entity who, by virtue of a contract or other arrangement with NASA, arranges for or otherwise provides payloads to be flown on the Shuttle on a reimbursable basis.

(b) *Dedicated flight*. A shuttle flight flown for a single customer.

(c) *Dedicated flight price*. The price established by NASA for a dedicated flight that provides the standard services listed in §1214.115 for 1 day of single-shift, on-orbit mission operations.

(d) *Jettison*. To physically separate all or a portion of a payload from the Shuttle after liftoff of the Shuttle without the intent of fulfilling the payload operations requirements agreed to by NASA and the customer.

(e) *Launch agreement*. The primary document between NASA and the non-U.S. government, reimbursable customer, containing the detailed terms, conditions, requirements and constraints under which NASA commits to provide launch services.

(f) *Marginal cost*. Solely for the purposes of determining the cost of a re-flight launch, marginal cost is defined as the cost to the U.S. Government, as determined by NASA's normal accounting procedures, associated with the addition or reduction of one flight in a given U.S. government fiscal year.

(g) *Non-U.S. government reimbursable customers* are:

(1) All non-U.S. Government persons or entities paying NASA for Shuttle services under this subpart 1214.1; or

(2) U.S. Government agencies obtaining reimbursable Shuttle services for those persons or entities cited in paragraph (g)(1) of this section; e.g., the Department of Defense under a Foreign Military sales case.