

NASA EO12114 Compliance Checklist

This form shall be completed by the Cognizant NEPA Manager in coordination with the person(s) who propose activities overseas. This form will become part of the environmental evaluation. Work shall not be conducted overseas until this form and appropriate environmental documentation have been completed and approved by the Cognizant NEPA Manager. Changes in Project scope or location of potential impacts could require the CNM to revisit this checklist and evaluation.

NOTE: This checklist is only for assessing EO12114 compliance requirements. Actions outside the U.S. may also require compliance with Section 402 of the National Historic Preservation Act Amendments (16 U.S.C. § 470a-2), Section 7 of the Endangered Species Act (ESA) (16 U.S.C. § 1531-1544), Section 112 of the Marine Mammal Protection Act (MMPA) (16 U.S.C. § 1361-1407), and Antarctica Science, Tourism, and Conservation Act of 1996 (16 U.S.C. § 2401) and Antarctic Protocol.

Title of Proposed Action:		Managing Office:	
Location of Foreign Activity:		Tracking Number:	
Description of Proposed Action:			
Action PI/ Proponent:		Phone:	e-mail:
Applicable Agreements:		Start Date/ Duration:	
Other NASA Centers Involved:			
			YES
			NO
1. Would all or part of the activity occur outside the boundaries of the United States or its territories (e.g., in another country or in the ocean beyond 12 nautical miles from the U.S. shoreline)? <i>(If "YES" proceed with checklist. If "NO", proceed to Proposed Action Assessment page, line I.)</i> NOTE: NEPA, not EO 12114, applies in the Antarctica land mass			
2. Actions interpreted (from EO paragraph 2-3) as not included under EO 12114			
a. Is this an action potentially affecting or taking place only in the environment of a participating foreign nation? (note: this includes territorial seas within 12 nautical miles from coastlines) <i>(If "YES" be sure to reference applicable agreements above and proceed to 2b. If "NO", proceed to 3.)</i>			
b. Does this action involve a product, or physical project producing a principal product or an emission or effluent, which is prohibited or strictly regulated by Federal law in the United States because its toxic effects on the environment create a serious public health risk? <i>(If "YES" proceed to 3. If "NO", proceed to 2c.)</i>			
c. Does this action involve a physical project which in the United States is prohibited or strictly regulated by Federal law to protect the environment against radioactive substances? <i>(If "YES" proceed to 3. If "NO", proceed to 2.d.)</i>			
d. Could this action significantly affect natural or ecological resources of global importance (i.e., red-list species or world heritage sites) of a participating foreign nation? <i>(If "YES" proceed to 3. If "NO", proceed to Proposed Action Assessment, page 4, line II.)</i>			
3. Actions Exempted From EO12114			
Would the Proposed Action qualify as:			
a. An action taken by the President? [EO12114, 2-5(a)(ii)] <i>(If "YES" proceed to Proposed Action Assessment page, line III. If "NO", proceed to 3b.)</i>			
b. An action by or pursuant to the direction of the President or Cabinet officer when the national security or interest is involved or when action occurs in the course of an armed conflict? [EO12114, 2-5(a)(iii)] <i>(If "YES" proceed to Proposed Action Assessment page, line III. If "NO", proceed to 3c.)</i>			
c. Intelligence activities and arms transfers? [EO12114, 2-5(a)(iv)] <i>(If "YES" proceed to Proposed Action Assessment page, line III. If "NO", proceed to 3d.)</i>			
d. Exports licenses or permits or export approvals, and actions relating to nuclear activities except actions providing to a foreign nation a nuclear production or utilization facility as defined in the Atomic Energy Act of 1954, as amended or a nuclear waste management facility? [EO12114, 2-5(a)(v)] <i>(If "YES" proceed to Proposed Action Assessment page, line III. If "NO", proceed to 3e.)</i>			
e. Votes and other actions in international conferences and organizations? [EO12114, 2-5(a)(vi)] <i>(If "YES" proceed to Proposed Action Assessment page, line III. If "NO", proceed to 3f.)</i>			
f. Disaster and emergency relief action? [EO12114, 2-5(a)(vii)] <i>(If "YES" proceed to Proposed Action Assessment, page 4, line III. If "NO", proceed to 4.)</i>			

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Title of Proposed Action:	Tracking Number:	
	YES	NO
4. EO12114 CatEx Not Requiring a REC		
Would the Proposed Action qualify as Administrative Activities outside the United States including:		
a. Personnel actions, organizational changes, and procurement of routine goods and services? <i>(If "YES" proceed to Proposed Action Assessment, page 4, line IV. If "NO", proceed to 4b.)</i>		
b. Issuance of procedural rules, manuals, directives, and requirements? <i>(If "YES" proceed to Proposed Action Assessment, page 4, line IV. If "NO", proceed to 4c.)</i>		
c. Program budget proposals, disbursements, and transfer or reprogramming of funds? <i>(If "YES" proceed to Proposed Action Assessment, page 4, line IV. If "NO", proceed to 4d.)</i>		
d. Preparation of documents, including design and feasibility studies, analytical supply and demand studies, reports and recommendations, master and strategic plans, and other advisory documents? <i>(If "YES" proceed to Proposed Action Assessment, page 4, line IV. If "NO", proceed to 4e.)</i>		
e. Information-gathering exercises, such as inventories, audits, studies, and field studies, including water sampling, cultural resources surveys, biological surveys, geologic surveys, modeling or simulations, and routine data collection and analysis activities? <i>(If "YES" proceed to Proposed Action Assessment, page 4, line IV. If "NO", proceed to 4f.)</i>		
f. Preparation and dissemination of information, including document mailings, publications, classroom materials, conferences, speaking engagements, Web sites, and other educational/informational activities? <i>(If "YES" proceed to Proposed Action Assessment, page 4, line IV. If "NO", proceed to 4g.)</i>		
g. Software development, data analysis, and/or testing, including computer modeling? <i>(If "YES" proceed to Proposed Action Assessment, page 4, line IV. If "NO", proceed to 4h.)</i>		
h. Interpretations, amendments, and modifications to contracts, grants, or other awards? <i>(If "YES" proceed to Proposed Action Assessment, page 4, line IV. If "NO", proceed to 4i.)</i>		
Would the Proposed Action qualify as Operations and Management Activities outside the United States including:		
i. Routine maintenance, minor construction or rehabilitation, minor demolition, minor modification, minor repair, and continuing or altered operations at, or of, existing US or US-funded or -approved facilities and equipment, such as buildings, roads, grounds, utilities, communication systems, and ground support systems, such as space tracking and data systems? <i>(If "YES" proceed to Proposed Action Assessment, page 4, line IV. If "NO", proceed to 4j.)</i>		
j. Installation or removal of equipment, including component parts, at existing US or private facilities? <i>(If "YES" proceed to Proposed Action Assessment, page 4, line IV. If "NO", proceed to 4k.)</i>		
k. Contribution of equipment, software, technical advice, exchange of data, and consultations, where such assistance does not control a receiving entity's program, project, or activity? <i>(If "YES" proceed to Proposed Action Assessment, page 4, line IV. If "NO", proceed to 4l.)</i>		
l. Ceremonies, commemorative events, and memorial services? <i>(If "YES" proceed to Proposed Action Assessment, page 4, line IV. If "NO", proceed to 4m.)</i>		
m. Routine packaging, labeling, storage, and transportation of hazardous materials and wastes, in accordance with applicable laws and requirements? <i>(If "YES" proceed to Proposed Action Assessment, page 4, line IV. If "NO", proceed to 5.)</i>		
5. EO12114 CatEx Requiring a REC		
Would the Proposed Action qualify as Research and Development Activities outside the United States including:		
a. Research, development, and testing in compliance with applicable laws and requirements? <i>(If "YES" notify NASA NEPA Manger and proceed to Proposed Action Assessment, page 4, line V. If "NO", proceed to 5b.)</i>		
b. Use of small quantities of radioactive materials in a laboratory or in the field. Uses include material for instrument detectors, calibration, and other purposes. Materials must be licensed, as required, and properly contained and shielded? <i>(If "YES" notify NASA NEPA Manger and proceed to Proposed Action Assessment, page 4, line V. If "NO", proceed to 5c.)</i>		
c. Use of lasers for research and development, scientific instruments and measurements, and distance and ranging, where such use meets all applicable laws and requirements. This applies to lasers used in spacecraft, aircraft, laboratories, watercraft, or outdoor activities? <i>(If "YES" notify NASA NEPA Manger and proceed to Proposed Action Assessment, page 4, line V. If "NO", proceed to 5d.)</i>		

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Title of Proposed Action:		Tracking Number:	
		YES	NO
Would the Proposed Action qualify as Aircraft and Airfield Activities outside the United States including:			
d. Periodic aircraft flight activities, including training and research and development, which are routine and comply with applicable laws and requirements? <i>(If "YES" notify NASA NEPA Manger and proceed to Proposed Action Assessment, page 4, line V. If "NO", proceed to 5e.)</i>			
e. Relocation of similar aircraft not resulting in a substantial increase in total flying hours, number of aircraft operations, operational parameters (e.g., noise), or permanent personnel or logistics support requirements at the receiving installation? <i>(If "YES" notify NASA NEPA Manger and proceed to Proposed Action Assessment, page 4, line V. If "NO", proceed to 6.)</i>			
6. REC using Existing Environmental Review Documentation			
a. Is the proposed action a mission for which the payload meets the Envelope Payload Characteristics in the NASA Routine Payload EA <u>and</u> previous EO12114 documentation for the launch vehicle/launch site resulted in a "no significant effects" determination? <i>(If "YES" notify NASA NEPA Manger and proceed to Proposed Action Assessment, page 4, line VI. If "NO", proceed to 6b.)</i>			
b. Is the proposed action an action similar to previous actions with environmental impacts evaluated in existing documentation (e.g., other NEPA/EO12114 documents, foreign nation's environmental assessment, etc.), for the same location with a "no significant effects" determination? <i>(If "YES" notify NASA NEPA Manger and proceed to Proposed Action Assessment, page 4, line VI. If "NO", proceed to 7.)</i>			
7. Are impacts from the Action expected to be significant? <i>(If "YES" proceed to 8. If "NO", notify NASA NEPA Manager and proceed to Proposed Action Assessment, page 4, line VII.)</i>			
8. Actions requiring documentation beyond a REC:			
a. Major Federal action significantly affecting the environment of the global commons outside the jurisdiction of any nation (e.g., the oceans or Antarctica)? (EO 12114, para 2-3.a.) <i>(If "YES" notify NASA NEPA Manager and proceed to Proposed Action Assessment, page 4, line VIII. If "NO", proceed to 8b.)</i>			
b. Major Federal action significantly affecting the environment of a foreign nation not participating with the United States and not otherwise involved in the action? (EO 12114, para 2-3.b.) <i>(If "YES" notify NASA NEPA Manager and proceed to Proposed Action Assessment, page 4, line VIII. If "NO", proceed to 8c.)</i>			
c. Major Federal action significantly affecting the environment of a foreign nation which provide to that nation a product, or physical project producing a principal product or an emission or effluent, which is prohibited or strictly regulated by Federal law in the United States because its toxic effects on the environment create a serious public health risk? (EO 12114, para 2-3.c.1.) <i>(If "YES" notify NASA NEPA Manager and proceed to Proposed Action Assessment, page 4, line VIII. If "NO", proceed to 8d.)</i>			
d. Major Federal action significantly affecting the environment of a foreign nation which provide to that nation a physical project which in the United States is prohibited or strictly regulated by Federal law to protect the environment against radioactive substances? (EO 12114, para 2-3.c.2.) <i>(If "YES" notify NASA NEPA Manager and proceed to Proposed Action Assessment, page 4, line VIII. If "NO", proceed to 8e.)</i>			
e. Major Federal action outside the United States, its territories and possessions which significantly affect natural or ecological resources of global importance designated for protection under this subsection by the President, or, in the case of such a resource protected by international agreement binding on the United States by the Secretary of State? (EO 12114, para 2-3.d.) <i>(If "YES" notify NASA NEPA Manager and proceed to Proposed Action Assessment, page 4, line VIII. NOTE: Recommendations to the President under EO 12114 para 2-3.d. shall be accompanied by the views of the Council on Environmental Quality and the Secretary of State. If "NO", consult NASA HQ EMD & OGC for applicability.)</i>			

Acronym List

CatEx	Categorical Exclusion	OGC	Office of General Counsel
EMD	Environmental Management Division	PI	Principal Investigator
EO	Executive Order	REC	Record of Environmental Consideration
NEPA	National Environmental Policy Act	US	United States

NASA EO12114 Compliance Assessment

Title of Proposed Action:	Tracking Number:	YES
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Proposed Action Assessment:

I.	The provisions of EO12114 do not apply to this action	
II.	This is an action interpreted (from EO paragraph 2-3) as not included under EO 12114	
III.	The proposed action qualifies as an Exemption as described by Executive Order 12114, paragraph 2-5.a. <i>(Insert paragraph number from line in section 3)</i> and does NOT require a REC. No further action is required.	
IV.	The proposed action qualifies as an EO12114 Categorical Exclusion (EO12114 CatEx) Not Requiring a REC, as described by NASA procedure described in NASA NEPA Desk Guide. No further action is required.	
V.	The proposed action qualifies as an EO12114 Categorical Exclusion (EO12114 CatEx) Requiring a REC, as described by NASA procedure described in NASA NEPA Desk Guide. Supporting documentation is attached to this assessment.	
VI.	The proposed action is adequately addressed in existing environmental review documentation: Supporting documentation is attached to this assessment.	
VII.	The proposed action will require a REC and environmental summary document, as described by NASA procedure described in NASA NEPA Desk Guide.	
VIII.	Per NASA HQ coordination, documentation required for this proposed action is as described below. A preliminary document development plan is attached to this assessment.	
	<i>a. The proposed action will require preparation of an environmental impact statement (including generic, program and specific statements) as described by EO12114, paragraph 2-4.(a)(i).</i>	
	<i>b. The proposed action will require preparation of bilateral or multilateral environmental studies, relevant or related to the proposed action, by the United States and one or more foreign nations, or by an international body or organization in which the United States is a member or participant, as determined by the agency Cognizant Manager, and as described by EO12114, paragraph 2-4.(a)(ii).</i>	
	<i>c. The proposed action will require preparation of a concise review of the environmental issues involved, including environmental assessments, summary environmental analyses or other appropriate documents, as determined by the agency Cognizant Manager, and as described by EO12114, paragraph 2-4.(a)(iii).</i>	

Beth Mangano

Date