

ployed to permit the proper interpretation of the data.

(2) For Government projects, extended analysis and general dissemination of information of a basic nature may be made with the concurrence of the sponsoring Government agency.

§ 1210.6 Model preparations and conduct of tests.

(a) *Programming by company.* In development testing in the Unitary wind tunnels, the company will be given the greatest possible freedom within the objectives of the scheduled program to obtain the precise information it requires, to determine the sequence and number of test runs to be made, and to make modifications to the program arising from the results currently being obtained, subject only to requirements of safety, practicability, and the total time assigned.

(b) *Instrumentation.* Each facility will provide standard instrumentation suitable for the test range of the respective facility and computing equipment for the reduction of test data. Information will be furnished for each facility on the permissible size of model, standard balances, safety margins to be used in the construction of models, model mounting details, and other pertinent factors. In the case of models of aircraft and missiles, the model should be designed to contain one of the standard balances if possible and to fit the model support. If the standard instrumentation furnished by the facility does not meet the test requirements, the company will provide suitable instrumentation which will be calibrated by the facility staff to insure accuracy of measurement. Serious delays arising from inaccuracies in company supplied instrumentation, if occurring during the scheduled test period, may result in reassignment of the position of the tests on the facility schedule. Detailed specifications and arrangements for special instrumentation will be established by mutual agreement. Necessary drawings of the article to be tested will be furnished the facility staff for their use in preparing for the test as soon as possible and in no case less than two months prior to the scheduled starting date of the tests.

(c) *Test program.* All tests will be conducted under NASA supervision. By agreement between company representatives and the laboratory staff changes

in the test program within the objectives of the scheduled program may be made where warranted and time is available and extensions may be made in the originally scheduled test period not exceeding 15 percent.

(d) *Handling test data.* The NASA staff will be responsible for the obtaining of all test data, its reduction to suitable coefficient form, and its accuracy, but the NASA will assume no responsibility for the interpretation of the data by others. Transmittal of the data will be made as rapidly as possible. For company projects the data will be transmitted as directed by the company. The data for Government projects will be transmitted simultaneously to the sponsoring Government agency and the contractor, unless otherwise directed by the sponsoring agency.

(e) *Shops and office space.* During the conduct of development testing the NASA will furnish private shops and office space to companies whose projects are under test. Proprietary information will be held in confidence by the NASA.

PART 1211—EXTRATERRESTRIAL EXPOSURE

Sec.	
1211.100	Scope.
1211.101	Applicability.
1211.102	Definitions.
1211.103	Authority.
1211.104	Policy.
1211.105	Relationship with Departments of Health, Education, and Welfare and Agriculture.
1211.106	Cooperation with States, territories, and possessions.
1211.107	Court or other process.
1211.108	Violations.

AUTHORITY: The provisions of this Part 1211 issued under sec. 203, 72 Stat. 429, as amended (42 U.S.C. 2473); sec. 304, 72 Stat. 433 (42 U.S.C. 2455, 2456) and 18 U.S.C. 799 and Art. IX, Outer Space Treaty, TIAS 6347 (18 UST 2416).

SOURCE: The provisions of this Part 1211 contained in 34 F.R. 11975, July 16, 1969, unless otherwise noted.

§ 1211.100 Scope.

This part establishes: (a) NASA policy, responsibility and authority to guard the Earth against any harmful contamination or adverse changes in its environment resulting from personnel, spacecraft and other property returning to the Earth after landing on or coming within the atmospheric envelope of a

celestial body; and (b) security requirements, restrictions and safeguards that are necessary in the interest of the national security.

§ 1211.101 Applicability.

The provisions of this part apply to all NASA manned and unmanned space missions which land on or come within the atmospheric envelope of a celestial body and return to the Earth.

§ 1211.102 Definitions.

(a) "NASA" and the "Administrator" mean, respectively, the National Aeronautics and Space Administration and the Administrator of the National Aeronautics and Space Administration or his authorized representative (see § 1204.509 of this chapter).

(b) "Extraterrestrially exposed" means the state or condition of any person, property, animal or other form of life or matter whatever, who or which has:

(1) Touched directly or come within the atmospheric envelope of any other celestial body; or

(2) Touched directly or been in close proximity to (or been exposed indirectly to) any person, property, animal or other form of life or matter who or which has been extraterrestrially exposed by virtue of subparagraph (1) of this paragraph.

For example, if person or thing "A" touches the surface of the Moon, and on "A's" return to the Earth, "B" touches "A" and, subsequently, "C" touches "B," all of these—"A" through "C" inclusive—would be extraterrestrially exposed ("A" and "B" directly; "C" indirectly).

(c) "Quarantine" means the detention, examination and decontamination of any person, property, animal or other form of life or matter whatever that is extraterrestrially exposed, and includes the apprehension or seizure of such person, property, animal or other form of life or matter whatever.

(d) "Quarantine period" means a period of consecutive calendar days as may be established in accordance with § 1211.104(a).

(e) "United States" means the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa and any other territory or possession of the United States, and in a territorial sense all places and waters subject to the jurisdiction of the United States.

§ 1211.103 Authority.

(a) Sections 203 and 304 of the National Aeronautics and Space Act of 1958, as amended (42 U.S.C. 2473, 2455 and 2456).

(b) 18 U.S.C. 799.

(c) Article IX, Outer Space Treaty, TIAS 6347 (18 UST 2416).

(d) NASA Management Instructions 1052.90 and 8020.13.

§ 1211.104 Policy.

(a) *Administrative actions.* The Administrator or his designee as authorized by § 1204.509 of this chapter shall in his discretion:

(1) Determine the beginning and duration of a quarantine period with respect to any space mission; the quarantine period as it applies to various life forms will be announced.

(2) Designate in writing quarantine officers to exercise quarantine authority.

(3) Determine that a particular person, property, animal, or other form of life or matter whatever is extraterrestrially exposed and quarantine such person, property, animal, or other form of life or matter whatever. The quarantine may be based only on a determination, with or without the benefit of a hearing, that there is probable cause to believe that such person, property, animal or other form of life or matter whatever is extraterrestrially exposed.

(4) Determine within the United States or within vessels or vehicles of the United States the place, boundaries, and rules of operation of necessary quarantine stations.

(5) Provide for guard services by contract or otherwise, as may be necessary, to maintain security and inviolability of quarantine stations and quarantined persons, property, animals, or other form of life or matter whatever.

(6) Provide for the subsistence, health, and welfare of persons quarantined under the provisions of this part.

(7) Hold such hearings at such times, in such manner and for such purposes as may be desirable or necessary under this part, including hearings for the purpose of creating a record for use in making any determination under this part or for the purpose of reviewing any such determination.

(8) Cooperate with the Department of Health, Education, and Welfare and the Department of Agriculture in ac-

cordance with the provisions of § 1211.105.

(9) Take such other actions as may be prudent or necessary and which are consistent with this part.

(b) *Quarantine.* (1) During any period of announced quarantine, the property within the posted perimeter of the Lunar Receiving Laboratory at the Manned Spacecraft Center, Houston, Tex., is designated as the NASA Lunar Receiving Laboratory Quarantine Station.

(2) Other quarantine stations may be established if determined necessary as provided in paragraph (a) (4) of this section.

(3) During any period of announced quarantine, no person shall enter or depart from the limits of any quarantine station without permission of the cognizant NASA quarantine officer. During such period, the posted perimeter of a quarantine station shall be secured by armed guard.

(4) Any person who enters the limits of any quarantine station during the quarantine period shall be deemed to have consented to the quarantine of his person if it is determined that he is or has become extraterrestrially exposed.

(5) At the earliest practicable time, each person who is quarantined by NASA shall be given a reasonable opportunity to communicate by telephone with legal counsel or other persons of his choice.

§ 1211.105 Relationship with Departments of Health, Education, and Welfare and Agriculture.

(a) If either the Department of Health, Education, and Welfare or the Department of Agriculture exercises its authority to quarantine an extraterrestrially exposed person, property, animal, or other form of life or matter whatever, NASA will, except as provided in paragraph (c) of this section, not exercise the authority to quarantine that same person, property, animal, or other form of life or matter whatever. In such cases, NASA will offer to these departments the use of the Lunar Receiving Laboratory Quarantine Station and such other service, equipment, personnel, and facilities as may be necessary to ensure an effective quarantine.

(b) If neither the Department of Health, Education, and Welfare or the Department of Agriculture exercises its

quarantine authority, NASA shall exercise the authority to quarantine an extraterrestrially exposed person, property, animal or other form of life or matter whatever. In such cases, NASA will inform these departments of such quarantine action and, in addition, may request the use of such service, equipment, personnel and facilities of other Federal departments and agencies as may be necessary to ensure an effective quarantine.

(c) NASA shall quarantine NASA astronauts and other NASA personnel as determined necessary and all NASA property involved in any space mission.

§ 1211.106 Cooperation with States, territories and possessions.

Actions taken in accordance with the provisions of this part shall be exercised in cooperation with the applicable authority of any State, territory, possession or any political subdivision thereof.

§ 1211.107 Court or other process.

(a) NASA officers and employees are prohibited from discharging from the limits of a quarantine station any quarantined person, property, animal or other form of life or matter whatever during an announced quarantine period in compliance with a subpoena, show cause order or other request, order or demand of any court or other authority without the prior approval of the General Counsel and the Administrator.

(b) Where approval to discharge a quarantined person, property, animal or other form of life or matter whatever in compliance with such a request, order or demand of any court or other authority is not given, the person to whom it is directed shall, if possible, appear in court or before the other authority and respectfully state his inability to comply, relying for his action upon this § 1211.107.

§ 1211.108 Violations.

Whoever willfully violates, attempts to violate, or conspires to violate any provision of this part or any regulation or order issued under this part or who enters or departs from the limits of any quarantine station in disregard of the quarantine rules or regulations or without permission of the NASA quarantine officer shall be fined not more than \$5,000 or imprisoned not more than 1 year, or both (18 U.S.C. 799).