

National Aeronautics and  
Space Administration  
**Office of the Administrator**  
Washington, DC 20546-0001

March 28, 2007



The Honorable Bart Gordon  
Chairman  
Committee on Science and Technology  
U.S. House of Representatives  
Washington, DC 20515

Dear Mr. Chairman:

The National Aeronautics and Space Administration (NASA) submits for Congress' consideration the enclosed legislation to amend the National Aeronautics and Space Act of 1958, as amended, and the NASA Flexibility Act of 2004 to provide NASA additional workforce flexibilities to better implement the transition from the Space Shuttle era to the new era of exploration. The purpose of each proposal within the legislation is described in the accompanying analysis.

NASA's proposed legislation provides NASA with flexibilities essential to the successful implementation of our programs in space exploration, scientific discovery, and aeronautics research. Title I provides two workforce management tools needed as the Agency engages in a major transformation and restructures itself to achieve 21st Century goals.

Title II facilitates NASA's ability to realign real property assets with NASA missions. The end result will be improved performance, by positioning the Agency to recover asset values, improve facility conditions, and achieve improved mission effectiveness.

The Office of Management and Budget advises that enactment of this legislation would be in accord with the program of the President.

Sincerely,

A handwritten signature in black ink, appearing to read "M. D. Griffin".

Michael D. Griffin  
Administrator

Enclosures (2)

A BILL

“To amend the National Aeronautics and Space Act of 1958, as amended, and the NASA Flexibility Act of 2004 to provide NASA additional tools to implement the National Aeronautics and Space Administration Authorization Act of 2005 for a successful transition from the Space Shuttle era to the new era of exploration.”

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. Short Title; Table of Contents.

(a) Short Title.--This Act may be cited as the "NASA Transition Act of 2007."

(b) Table of Contents.—The table of contents for this Act is as follows:

SEC. 1. Short title; table of contents

TITLE I – WORKFORCE TRANSITION

SEC. 101. Conversion Incentives

SEC. 102. Temporary Continuation of Coverage of Health Benefits

TITLE II – FACILITIES MANAGEMENT

SEC. 201. Enhanced Use Leasing

TITLE III – TECHNICAL CORRECTION

SEC. 301. Technical Correction to Aerospace Safety Advisory Panel

TITLE I—WORKFORCE TRANSITION

Conversion Incentive

SEC. 101. Chapter 98 of Title 5, United States Code, is amended by adding a new section 9816 as follows:

“Conversion Incentive”

Sec. 9816. (a) For the purpose of this section, “permanent employee” means an employee, as defined by section 2105 of this title, employed by the Administration who is serving under—

- (1) a career or career-conditional appointment;
- (2) an appointment in the excepted service that is not indefinite, conditional, or subject to a specific time limitation ;

- (b) The Administrator may approve, subject to section 5307 of this title, payment of an incentive to a permanent employee of the Administration in exchange for the employee's voluntary conversion to a time-limited appointment within the Administration. Before paying a conversion incentive under this section, the Administration shall establish a plan for paying such incentives that specifies the officials with authority to approve payment of conversion incentives; criteria that must be met in authorizing conversion incentives; procedures for calculating and paying conversion incentives; requirements for service agreements; and documentation requirements sufficient to allow reconstruction of the action.
- (c) A conversion incentive may be paid to an employee only if a determination is made by the Administrator that—
- (1) the employee's permanent position is expected to be eliminated or is no longer required on a permanent basis due to workforce restructuring within the Administration;
  - (2) in the absence of the conversion incentive, the employee is unlikely to voluntarily convert to a time-limited appointment; and
  - (3) the conversion will minimize or eliminate the need for the Administration to use involuntary separations or involuntary reassignments to meet workforce restructuring objectives or facilitate sustaining the workforce necessary for effective and safe operations during a program/project termination or modification.
- (d) A conversion incentive —
- (1) shall be stated as a percentage of the employee's annual rate of basic pay, including any special rate under section 5305 of this title or similar provision of law or comparability payments under sections 5304 and 5304a of this title or similar provision of law, upon conversion to the time-limited appointment;
  - (2) may not exceed \$25,000 or 25 percent of the employee's rate of basic pay, whichever is less, for each 52 week period of service for which the allowance is paid. The rate used to compute the incentive is the annual rate of basic pay in effect at the time of conversion and at the beginning of each 52 week period thereafter;
  - (3) will be reduced on a pro rata basis from the amount under subsection (2) for any period of service less than 12 months; and
  - (4) shall be paid at the same time and in the same manner as the employee's basic pay is paid, unless approval is granted by the Administrator to pay the incentive in a lump sum payment, installment payments, or a combination thereof.
- (e) A conversion incentive may not be considered to be part of the basic pay of an employee for any purpose.
- (f) Payment of a conversion incentive shall be contingent upon the employee entering into a written agreement with the Administration specifying the period of service and other terms and conditions under which the conversion incentive is payable. The agreement shall describe the conditions under which the conversion

incentive may be canceled prior to the completion of the agreed-upon service period and the effect of the cancellation.

- (g) The agency may not pay a conversion incentive during a period in which the employee is receiving a recruitment, redesignation, or retention bonus under section 5753, 5754, 9804, or 9805 of this title or any similar authority or is fulfilling a service agreement associated with any such bonus. A relocation incentive or bonus under section 5753 or 9804 of this title may be paid to an employee during a period in which the employee is receiving a conversion incentive only when the employee is required to relocate to a different geographic area to accept the time-limited position for which the conversion incentive is authorized.
- (h) Any severance pay to which an employee is entitled under section 5595 of this title, as a result of separation from a position (or successive positions) in the Administration for which the employee received a conversion incentive will be reduced by the total amount of conversion incentive the employee received. The Director of the Office of Personnel Management may prescribe regulations regarding the reduction of an employee's severance pay under this paragraph.
- (i) An employee who is converted from a time-limited appointment for which a conversion incentive is paid to a permanent appointment within the Administration is ineligible for a voluntary separation incentive payment upon subsequent separation from the Administration.
- (j) Acceptance of a time-limited appointment for which a conversion incentive is paid does not preclude the employee from accepting a subsequent conversion or appointment to a permanent position in a Federal agency.
- (k) Acceptance of a conversion incentive upon conversion to a time-limited appointment does not alter any of the statutory authorities otherwise associated with the appointment type, including those governing pay administration, position classification, reduction-in-force, leave administration, health and life insurance benefits, retirement and thrift savings plan, grievance and appeal rights except as provided by paragraph (h) of this section.
- (l) The Administrator shall submit to the Office of Personnel Management and the Office of Management and Budget not later than December 31 of each year a report that provides: a summary of all conversion incentives paid under this section during the preceding fiscal year, which will include the total number of individuals receiving incentives; the length of the time-limited appointment for which each incentive will be paid; and the total amount of each incentive to be paid over the period of the appointment.
- (m) Incentives authorized under this section shall be limited to circumstances involving the termination of the space shuttle program.
- (n) The separation of an individual based upon expiration of a time-limited appointment made under the provisions of this section shall be considered as an involuntary separation, not for cause on charges of misconduct or delinquency, for purposes of sections 8336 or 8414 of this title.
- (o) Notwithstanding any other provision of this title, the provisions of this section shall be implemented by the Administrator and shall terminate on December 31, 2010.

SEC. 102. Temporary Continuation of Coverage of Health Benefits. Section 8905a (d) of title 5, United States Code, is amended by adding at the end the following new paragraph:

(6)(A) If the basis for continued coverage under this section is an involuntary separation from a position due to a reduction-in-force or declination of a directed reassignment or transfer of function, or a voluntary separation from a surplus position, in the National Aeronautics and Space Administration—

- i. the individual shall be liable for not more than the employee contributions referred to in paragraph (1)(A)(i); and
- ii. the National Aeronautics and Space Administration shall pay the remaining portion of the amount required under paragraph (1) (A).

(B) This paragraph shall only apply with respect to individuals whose continued coverage is based on a separation occurring on or after the date of the enactment of this paragraph and before October 1, 2010.

(C) For purposes of this paragraph, “surplus position” means a position which is—

- i. identified in pre-reduction-in-force planning as no longer required, and which is expected to be eliminated under formal reduction-in-force procedures, or
- ii. encumbered by an employee who has received official certification from the National Aeronautics and Space Administration consistent with the Administration’s career transition assistance program regulations that the position is being abolished.”

Clerical amendment: Subsection (1) (A) is amended by deleting “(4) and (5)” and replacing with “(4), (5), and (6)”

## Title II—FACILITIES MANAGEMENT

### Enhanced Use Leasing

SEC. 201. Section 315 of the National Aeronautics and Space Act of 1958 (42 U.S.C. 2459j) is amended as follows:

- 1) in subsection (a) by:
  - a. striking “Notwithstanding any other provision of law”,
  - b. striking “any real” and inserting in lieu thereof “non-excess real and related personal” before the word “property”, and
  - c. striking “at no more than two (2) National Aeronautics and Space Administration (NASA) centers”;

- 2) in paragraph (1) of subsection (b) by adding "cash" after the word "provide" and striking the remaining paragraph after the word "Administrator.";
- 3) by striking paragraph (2) of subsection (b);
- 4) by renumbering paragraph (3) of subsection (b) as paragraph (2);
- 5) by striking subparagraph (B) of renumbered paragraph (2) of subsection (b) and inserting in lieu thereof "(B) Any amounts of cash consideration received under this subsection not utilized in accordance with subparagraph (A) shall be deposited in a capital asset account to be established by the Administrator, shall be available for capital revitalization and construction projects, and improvements of real and related personal property assets under the jurisdiction of the Administrator, and shall remain available until expended.";
- 6) in renumbered paragraph (2) by adding new subparagraph (C) as follows:  
"(C) Amounts utilized in accordance with subparagraph (B) shall not be utilized to replace daily operating costs.";
- 7) in subsection (e) by adding "(1)" after "Lease restrictions" and adding a new paragraph (2) as follows:  
"(2) NASA is not authorized to engage in out-lease activities described in subparagraph (a) unless the Administrator certifies that each proposed out-lease will not negatively impact NASA's mission.";
- 8) by striking subsection (f);
- 9) by adding at the end thereof a new subsection "(f) Sunset provision. All authority under this section shall cease to be available 10 years from the date of enactment of the authority to enter into out-lease activities described in subparagraph (a)."; and
- 10) in the title, by striking "Enhanced-Use" and "Demonstration" and "real" and inserting in lieu thereof "non-excess".

### TITLE III - TECHNICAL CORRECTION

#### Technical Correction to Aerospace Safety Advisory Panel

SEC. 301. Section 6 of the National Aeronautics and Space Administration Act, 1968 (42 U.S.C. 2477), as amended, is amended to strike "GS-18" and insert "Executive Schedule Level IV".

**SECTIONAL ANALYSIS  
Of the NASA Transition Act of 2007**

“To amend the National Aeronautics and Space Act of 1958, as amended, and the NASA Flexibility Act to provide NASA additional tools to implement the NASA Authorization Act of 2005 for a successful transition from the Space Shuttle era to the new era of exploration.”

**TITLE I—WORKFORCE TRANSITION**

The implementation of the Vision for Space Exploration has significant implications for the workforce skills needed by NASA in the coming years. Not only is there a need for NASA to take action to align its workforce to the new mission and goals, but this reshaping must be done as quickly as possible if NASA is to meet the schedule established by the President and the Congress.

In many cases, skills misalignments can be addressed by retraining or reassigning the employees whose skills cannot be utilized effectively in their current assignments. But not all skills misalignments can be resolved by retraining and redeployment. In some instances, attrition is the only alternative to NASA retaining elements of the workforce whose skills are no longer needed. Since NASA historically has a low attrition rate, allowing attrition to take its natural course is not the optimal course of action for NASA.

The authorities contained in Title I will provide the means to manage attrition in a targeted manner to achieve better alignment of the workforce with the mission without creating unwanted losses and skills imbalances. But that is not the only goal. The *method* by which that goal is achieved is just as important. NASA must manage attrition in a way that does not demoralize the workforce, create an environment of uncertainty, generate a lack of trust in management, or stimulate the departure of elements of the workforce the Agency needs to retain. If attrition is not managed the right way, NASA’s image as an employer of choice will be eroded, resulting in a long-term negative impact on the Agency’s ability to attract and retain “the best and the brightest.”

The NASA Flexibility Act of 2004 (Public Law 108-201) provided NASA with new flexibilities for hiring, retaining, and leveraging a world-class workforce. These flexibilities have made a difference already, and will be vitally important to NASA over the coming years in competing for top talent and maintaining the knowledge base of the workforce.

However, the authorities in the NASA Flexibility Act represent, for the most part, tools for attracting and retaining high-quality employees. They do not address a different, but equally critical, human capital challenge: managing attrition in a strategic, effective, and compassionate manner. To address this challenge, new workforce management tools are necessary.

## SECTION 101. Conversion Incentive

NASA needs more flexibility to shape the workforce to accomplish its mission effectively and safely in an environment characterized by changes in technology, programs, and budget reprioritization. Although hiring and retaining employees with the right competencies are critical to mission success, successful human capital management also requires effective attrition management strategies in order to align the workforce more quickly to the requirements of programs.

Although NASA is placing a new emphasis on building an agile workforce with the right mix of permanent and nonpermanent civil service employees, this change will take many years to achieve since the current civil service workforce is predominantly permanent.

There are few tools available that are designed to manage attrition effectively on a long-range basis. Reduction-in-force actions are disruptive, costly, and demoralizing in the short-term, and adversely affect the organization's future ability to attract and retain a quality workforce. Directed reassignments, by their nature, erode morale in the workforce. Monetary incentives such as relocation bonuses and qualifications pay may be useful in providing an incentive for "at risk" employees to accept different positions, but these incentives can be used only under specific conditions (linked to the hard-to-fill nature of the new job and the unique qualifications of the employee).

Workforce planning and attrition management would be greatly enhanced if permanent civil service employees occupying positions targeted for elimination would voluntarily convert from permanent status to temporary or term status, with an established Not To Exceed (NTE) date that supports project termination or project modification and budget decisions. If program/budget decisions mandate personnel reductions, releasing term or temporary employees on the NTE dates allows the reductions to be made in a planned and orderly manner and lessens the need to initiate other workforce reshaping actions. Management can respond to program redirection and budget decisions with less adverse impact on the general workforce.

Therefore, NASA proposes in this legislation the authority to offer a permanent employee a conversion incentive for voluntarily converting to a time-limited appointment. The purpose of this financial incentive is to offset the risk the employee assumes by giving up the right to continued employment.

This authority could be used to encourage employees who are working on the Space Shuttle Program to convert to time-limited appointments that correspond to major milestones in that Program (or Program completion), enabling the Administration to plan the Shuttle workforce transition with more precision.

Given that this is a new approach to attrition management, NASA seeks this conversion authority through the retirement of the Space Shuttle.

Subsection (a) defines "permanent employee" as an employee who is serving on a career or career-conditional appointment or an excepted service appointment without time limitation to a continuing position.

Subsection (b) authorizes the NASA Administrator to approve a conversion incentive for a permanent employee in exchange for the employee's conversion to a time-limited position. The payment of the incentive is subject to the provision in Section 5307 of title 5 on the limitation of aggregate pay paid to employees in a calendar year. In addition, NASA is required to establish a plan prior to paying a conversion incentive.

Subsection (c) requires, as a condition of authorizing a conversion incentive, that a determination be made that the employee's position is identified to be abolished due to workforce restructuring and that converting the employee to term or temporary status will minimize or eliminate the need for the Administration to use involuntary separations or involuntary reassignments to meet workforce restructuring objectives or facilitate sustaining the workforce necessary for effective and safe operations during a program/project termination or modification. In addition, a determination must be made that in the absence of the conversion incentive, the employee is unlikely to voluntarily convert to a time-limited appointment.

Subsection (d) requires the conversion incentive to be calculated as a percentage of the employee's annual salary, including comparability payments, based on the salary of the position to which the employee is converted. The incentive may not exceed \$25,000 or 25 percent of the employee's rate of basic pay, including comparability, whichever is less, for any 12 month period of service for which the incentive is paid. For any period of service less than 12 months, the incentive is calculated on a pro rata basis. The conversion incentive is paid in the same form and manner as the employee's basic pay is paid unless approval is granted by the Administrator for a lump sum payment.

Subsection (e) stipulates that the conversion incentive is not considered part of the basic pay of an employee for any purpose, including calculating the employee's retirement annuity or calculating a lump-sum payment for annual leave.

Subsection (f) requires that the employee enter into a written agreement with the Agency prior to obtaining a conversion incentive.

Subsection (g) precludes the receipt of a conversion bonus during a period in which an employee receives a recruitment, redesignation, or retention bonus. A relocation bonus can be received in addition to the conversion bonus only when the employee is required to relocate to accept the position for which the conversion is authorized.

Subsection (h) reduces any subsequent severance pay received for separating from a converted position (or any successive position) by the conversion bonus paid to the employee for converting to that position.

Subsection (i) provides that any NASA employee who accepts a conversion incentive is ineligible to receive a voluntary separation incentive (buyout) in connection with any subsequent conversion to a permanent appointment within NASA for which the employee might otherwise be eligible to receive a buyout.

Subsection (j) makes it clear that an employee who accepts an incentive under this section upon conversion to a time-limited appointment is not thereby precluded from being converted or appointed to any other appointment (including permanent) in any Federal agency for which otherwise eligible.

Subsection (k) states that acceptance of an incentive under this authority upon conversion to a time-limited appointment does not alter any of the other statutes associated with the type of appointment to which converted, except as specifically provided in this section. This includes the statutes pertaining to pay, benefits, retention, and retirement that apply to the appointment type to which converted.

Subsection (l) requires NASA to submit to the Office of Personnel Management and the Office of Management and Budget by December 31 of each year a report describing NASA's use of this authority. The report must include: the total number of individuals receiving incentives; the length of the time-limited appointment for which each incentive was paid; and the total amount of each incentive paid over the period of the appointment.

Subsection (m) specifies that conversion incentives are authorized in circumstances involving the termination of the space shuttle program.

Subsection (n) terminates the agency's authority to use this provision after December 31, 2010.

#### SECTION 102. Temporary Continuation of Coverage of Health Benefits

Under 5 U.S.C. § 8905a, Federal employees who separate are entitled to continue their enrollment in the Federal Employees Health Benefits Program (FEHBP) for a maximum period of 18 months. Employees who elect this temporary continuation of coverage must pay the entire cost of the premium (employee and government share) plus a two percent administrative charge.

There are several exceptions to the general rule that such employees must pay the entire cost of the premium. These exceptions, found in 5 USC § 8905a (d) (4) and (5), apply to employees in specific agencies/organizations who are affected by reduction-in-force actions, pre-reduction-in-force planning in which their positions are expected to be eliminated, or similar staffing actions. Employees affected by such actions in those agencies/organizations are not liable for more than the employee contribution.

Section 102 of the proposed legislation would add a new category of employees who would be liable only for the employee share of FEHBP premiums if they elect temporary continuation of health benefits coverage upon separation from their civil service positions. This would include surplus employees at NASA who are involuntarily separated due to reduction-in-force or because they declined a transfer, or surplus employees who are identified as occupying positions that are anticipated to be eliminated under reduction-in-force procedures.

By authorizing NASA to pay the government's share of the FEHBP premium for employees who separate because their positions are being eliminated or transferred out of the commuting area, the Agency would provide a "soft landing" benefit to employees who desire continued health coverage while they seek other employment and are not otherwise eligible for FEHBP coverage without paying the full cost of the premiums.

Although the buyout authority has proven to be an important tool in encouraging voluntary attrition, it is not an adequate incentive for many employees—particularly employees who are not eligible for retirement. These employees not only have no annuity income on which to rely until they find new employment, but they must pay the full premium costs if they desire to continue their health insurance under the FEHBP. For employees who have family members covered by the FEHBP, this is likely to be a principal reason for declining an opportunity to separate with a buyout. By offering to pay the employer share of the premium for employees otherwise eligible for temporary continuation of coverage of health benefits, a greater number of employees may be willing to separate voluntarily.

Paragraph (A) states that this benefit applies to NASA employees who are otherwise eligible to elect Temporary Continuation of Coverage under the FEHBP and who are involuntarily separated due to reduction-in-force, or declination of a directed reassignment or transfer of function or who voluntarily separate from a surplus position.

Paragraph (B) stipulates that this provision applies only to employees who separate on or after the date the provision is enacted and prior to October 1, 2010. The provision will sunset on October 1, 2010.

Paragraph (C) defines a "surplus position" as one which has been identified in pre-reduction-in-force planning as no longer required and which is expected to be eliminated under formal reduction-in-force procedures or a position encumbered by an employee who has received official certification by NASA under its career transition assistance program regulations that the position is being abolished. Such regulations are required to be in place by Presidential memorandum dated September 12, 1995 and Office of Personnel Management regulations.

## TITLE II—FACILITIES MANAGEMENT

SECTION 201. Enhanced Use Leasing

NASA was provided enhanced use leasing (EUL) authority as a demonstration program for two NASA centers in the Consolidated Appropriations Act of 2003 (P.L. 108-7). Existing Space Act authority had permitted the Agency to lease property "in the performance of its functions" for cash or other consideration, but required funds received in excess of costs to be returned to the Treasury. P.L. 108-7 expanded NASA's lease authority by amending the Space Act to permit the Agency to implement a EUL demonstration program at no more than two Centers. Ultimately, after completing an Agency competition, Kennedy Space Center (KSC) and Ames Research Center (ARC) were chosen to perform the EUL demonstration program. The expanded lease authority provided through the EUL demonstration program permitted KSC and ARC to lease non-excess/underutilized NASA property to tenants whose activities had a business relationship to NASA's mission and accept several forms of consideration, including "in-kind" consideration. The authority also permitted KSC and ARC to retain and spend the rental proceeds. KSC and ARC use this authority with great success, leasing underutilized facilities to companies, universities and other federal agencies.

Based on the experience at these two demonstration sites, as well as projected needs and uses at other NASA Centers, NASA seeks to expand this lease authority to all NASA Centers. This section would also modify the existing authority to address the perception of abuses of established principles of Federal budgeting by a few agencies with EUL authority, and in particular the concern that "in kind" consideration may be a way for agencies to finance federal projects without the full scrutiny of the Congressional appropriations process.

Section 201 of the draft legislation would modify the existing authority to adopt cash consideration in favor of "in-kind" consideration by permitting the lease of non-excess/underutilized property by the Agency and retain and spend funds received in excess of leasing costs. In addition, this provision would amend the statute to insert a sunset of 10 years on the demonstration program, and clarify that it applies only to non-excess property. The funds would be used at the Administrator's discretion.

EUL authority allows NASA to lease non-excess/underutilized property to third parties and retain revenues. EUL will improve the agency's performance by allowing NASA to recover asset values, reduce operating costs, improve facility conditions, and improve mission effectiveness.

While expanded EUL authority could benefit all NASA Centers, the Stennis Space Center in Mississippi, the Glenn Research Center in Ohio, and the Michoud Assembly Facility in Louisiana could benefit substantially from the ability to enter into EUL agreements.

Stennis Space Center (SSC): The "closed" Mississippi Army Ammunition Plant is being proposed for transfer by the Army to NASA and will offer significant potential for EUL initiatives. SSC also has under-utilized land and facilities available for potential out-

leasing. These potential leases could help bring jobs and growth to an area devastated by Hurricane Katrina.

Glenn Research Center (GRC): GRC has under-utilized land outside the campus gates that has high potential for out-leasing due to its proximity to the airport, interstate highways, and to GRC. Additionally, the GRC Plum Brook Station has a water intake capacity (Rye Beach) from Lake Erie that is underutilized which the surrounding communities have expressed interest in using. The perimeter and buffer zone land areas of Plum Brook Station also have high potential for out-leasing.

Marshall Space Flight Center Michoud Assembly Facility (MAF): MAF currently hosts the U.S. Coast Guard and the U.S. Department of Agriculture as tenants on the site. MAF was one of the few sites in this part of Louisiana that was not inundated by the storm surge and flooding caused by Hurricane Katrina. The tenant base could be expanded to support hurricane recovery in this part of Louisiana. Since MAF will manufacture the Ares I Upper Stage, Ares V Boost Stage, and Ares Earth Departure Stage, there could be a significant draw for private entities to locate on the site. This would allow MAF to reduce its facilities overhead burden and develop revenue streams for sustaining its facilities and infrastructure.

### TITLE III – TECHNICAL CORRECTION

#### SECTION 301. Technical Correction to Aerospace Safety Advisory Panel

This section amends section 6 of the National Aeronautics and Space Administration Authorization Act, 1968 (42 U.S.C. 2477) which established the NASA Aerospace Safety Advisory Panel (ASAP). The amendment would replace the obsolete reference to “GS-18” with the current equivalent of Executive Level IV as the maximum per diem rate of compensation for ASAP members appointed from outside the Federal Government. This change will bring references in line with the changes that have taken place since 1968.