



June 18, 2020

TO: Officials-in-Charge of Headquarters Offices  
Directors, NASA Centers

FROM: Associate Administrator

SUBJECT: Changes to the NASA Dissenting Opinion Process

Over several months, culminating in a presentation to the APMC on February 5, 2020, a small team representing the Office of Safety and Mission Assurance, the Office of the Chief Engineer and the Office of the Chief Health and Medical Officer proposed changes to the NASA Dissenting Opinion process. This assessment was in part motivated by the Business Services Assessment deep dive on Technical Authority which originated in the 2017-2018 timeframe. When the team presented their recommendations to the APMC, the NASA leadership immediately accepted their recommendation to change the nomenclature from “Dissenting Opinion (DO)” to “Formal Dissent (FD)”. The former term implies that the dissent could be based on something other than data, which is an expectation of any dissent brought forward regarding a program or project decision. I have therefore directed that any NASA documentation containing the term “Dissenting Opinion” be modified to change that nomenclature to “Formal Dissent”.

The team also proposed an option to allow each Center to adjudicate FD’s at their level. This proposal violated the fundamental principle allowing individuals or organizations to elevate their dissent to higher levels of management up to and including the Administrator (see NPD 1000.0C, section 3.5.4). As a result, this proposal was not accepted by the APMC.

Recognizing the importance of clarifying the FD process, the team provided a modified proposal to a subset of the APMC membership. Instead of allowing the Centers to adjudicate FD’s at their respective levels, the modified proposal allows each Center Director to determine if an FD presented at their level requires an expedited resolution, and at which level within the Agency the expedited dissent should be adjudicated (Mission Directorate or Agency Associate Administrator). Note that this option does not imply that a full meeting of the appropriate decision entity (e.g., DPMC, APMC) is required. Given the positive response by the convened leadership, I have accepted the modified FD proposal. In doing so, I am recognizing that the Centers have the vast majority of the technical expertise in a particular area, and have access to key individuals as their technical leaders to inform him or her of the relative importance of a particular FD.

My expectations are that (1) each Center shall update or create Technical Authority Implementation Plan(s) to reflect this change in Center responsibilities; (2) in accordance with Agency/Center documentation, whenever an FD is raised, it shall be documented and communicated at a minimum of two levels of management above the original program/project decision; and (3) each Center shall maintain a listing of FD's brought forward at their Center, including the current status, whether or not the FD has been elevated, and to which level. Regarding item (1) above, this is fully in-line with the new language in NPD 1000.0C, section 3.5.1, para 3, subsection (d), in that the Technical Authorities are now responsible for implementing the Dissenting Opinion (now Formal Dissent) process. Additional language in NASA overarching policy will be included to reflect this modified step in the established process.

I see this decision as improving our decision-making process while preserving the ability of individuals to raise issues with program/project decisions. Both the dissenter and the original decision maker for critical Agency issues will obtain a rapid evaluation of the FD at the appropriate levels within the Agency with all of the required individuals involved in the discussion. My expectation is that NASA leadership will start to implement this modified process immediately for any FD's that may arise at your Centers. Finally, and of no less importance, my expectation is that you will communicate this change at the earliest opportunity to your entire workforce in a forum of your choice for most effective communications.

A handwritten signature in cursive script that reads "Stephen G. Jurczyk". The signature is written in black ink and is positioned above the printed name.

Stephen G. Jurczyk



# **Changes to the Dissenting Opinion Process**

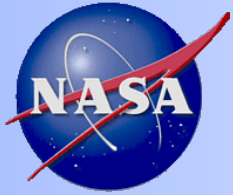
**July 31, 2020**

**Office of the Chief Engineer**



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# Introduction

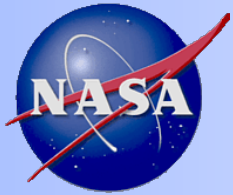
- A Technical Authority (TA) Team including the Office of Safety and Mission Assurance (OSMA), Office of the Chief Engineer (OCE) and Office of the Chief Health and Medical Officer (OCHMO) proposed changes to the process of Dissenting Opinions within the Agency.
- Recommendations provided by this TA team are partly in response to a Business Services Assessment deep dive on TA conducted in the 2017-2018 timeframe.
- Recommendations by the TA Team were presented and accepted by the APMC and included:
  - Change nomenclature from “Dissenting Opinion (DO)” to “Formal Dissent (FD)”, and
  - Establish an agency level expedited escalation path for FDs.
- The following charts provide additional information regarding the changes noted above and are complementary to the *Changes to the NASA Dissenting Opinion Process*, NASA AA letter dated June 18, 2020.



# Background

## Dissenting Opinion/Formal Dissent

- A Dissenting Opinion, now referred to as Formal Dissent (FD), is a substantive disagreement with a decision or action that an individual judges is not in the best interest of NASA and is of sufficient significance and importance that it warrants a timely review and decision by higher-level management.
- Difference between FD and dissenting opinion and/or disagreement:
  - An FD is a substantive disagreement as described above that is formalized and follows the FD process and escalation path through higher level(s) of management for decision
  - A dissenting opinion and/or disagreement should be addressed at program/project level boards or decision processes and don't rise to the level an FD.

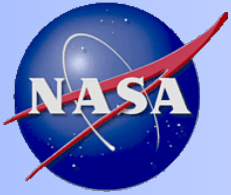


# Background

## Formal Dissent Process

- For disagreements that rise to this level of an FD, an FD process is followed, a summary of the key steps are:
  - The individual raising the dissent must document and specifically request that the dissent be resolved by the FD process.
  - Disagreeing parties must jointly establish the facts agreed upon and document their respective positions, rationale, and recommendations. An FD must be supportable and based on a clear and sound rationale (not on vague or unyielding opposition).
  - The parties jointly present their views to the next higher level of the involved authorities (e.g., the Programmatic Authority, Technical Authority <sup>[1]</sup>, and/or Institutional Authority, as applicable), and communicated at a minimum of two levels of management above the original program/project decision.
  - If the dissenter is not satisfied with the process or outcome, the dissenter may appeal to the next higher level of management. The dissenter has the right to take the issue upward through the organization, even to the NASA Administrator, if necessary

[1] TAs perform several roles in addition to FD. Refer to backup for a summary of TA origin, roles and delegation<sub>5</sub>

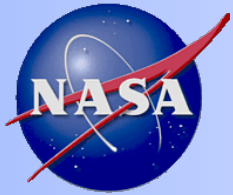


## Terminology Change

### Dissenting Opinion (DO) now Formal Dissent (FD)

- The APMC and the NASA leadership accepted the TA's team recommendation to change the nomenclature from "Dissenting Opinion (DO)" to "Formal Dissent (FD)". The former term implies that the dissent could be based on something other than data, which is an expectation of any dissent brought forward regarding a program or project decision.





## Addition of FD Expedited Escalation Path

- The addition of an FD expedited escalation path is intended to facilitate decisions on urgent FDs that need a timely resolution and provide a path to prevent FDs from lingering too long without a management decision.
- The expedited escalation path allows each Center Director to determine if an FD presented at their level requires an expedited resolution, and at which level within the Agency the expedited dissent should be adjudicated - Mission Directorate Associate Administrator or NASA Associate Administrator, and includes the potential for the Administrator to be present at the adjudication meeting.
- The expedited escalation path is an additional option to the nominal path summarized on chart 5



# Documentation of Changes

- These changes were approved by the APMC and documented in the *Changes to the NASA Dissenting Opinion Process*, NASA AA letter dated June 18, 2020.
  - Identifies changes in the DO to FD terminology and expedited escalation path;
  - Center expectations and documentation; and
  - Consistent with NPD 1000.0C
  - For additional details, refer to the letter at:  
[https://nodis3.gsfc.nasa.gov/OCE\\_docs/OCE\\_43.pdf](https://nodis3.gsfc.nasa.gov/OCE_docs/OCE_43.pdf)
- Additional NASA documents planned for update to reflect the changes includes NPR 7120.5 and the PM Handbook and will be included as part of the next revision.

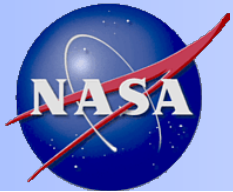


## Reference - Key Documents with DO/FD Process Details

- The following key documentation contains further details of the DO now FD process
- NPD 1000.0C, NASA Governance and Strategic Management Handbook, Section 3.5.4
  - [https://nodis3.gsfc.nasa.gov/NPD\\_attachments/N\\_PD\\_1000\\_000C\\_.pdf](https://nodis3.gsfc.nasa.gov/NPD_attachments/N_PD_1000_000C_.pdf)
- NPR 7120.5, NASA Space Flight Program and Project Management Requirements, Section 3.4
  - [https://nodis3.gsfc.nasa.gov/npg\\_img/N\\_PR\\_7120\\_005E\\_/N\\_PR\\_7120\\_005E\\_.pdf](https://nodis3.gsfc.nasa.gov/npg_img/N_PR_7120_005E_/N_PR_7120_005E_.pdf)
- NASA/SP-2014-3705, NASA Space Flight Program and Project Management Handbook, Section 5.3.
  - <https://ntrs.nasa.gov/archive/nasa/casi.ntrs.nasa.gov/20150000400.pdf>



# Backup



# TA Origin and Roles

- Origin based on a recommendation from the Shuttle Columbia Accident Investigation Board (CAIB) to establish an independent Technical Authority responsible for technical requirements and associated waivers and a disciplined, systematic approach to identifying, analyzing, and controlling hazards throughout the life cycle.
- TAs have several roles, including:
  - Serve as members of Program or Project control boards, change boards, and internal review boards.
  - Work to ensure that the quality and integrity of Program or Project processes, products, and standards of performance related to engineering, SMA, and Health and Medical reflect the level of excellence expected by the Center or, where appropriate, by the NASA TA community.
  - Ensure requests for waivers or deviations from TA requirements are submitted to and acted on by the appropriate level of TA.
  - Assist the Program or Project in making risk-informed decisions that properly balance technical merit, cost, schedule, and safety across the system.
  - Provide the Program or Project with the TA view of matters based on their knowledge and experience and raising a Formal Dissent on a decision or action, when appropriate.
  - Serve as an effective part of NASA's overall system of checks and balance

**Three Technical Authorities:  
Engineering, Safety and Mission Assurance, and Health and Medical**

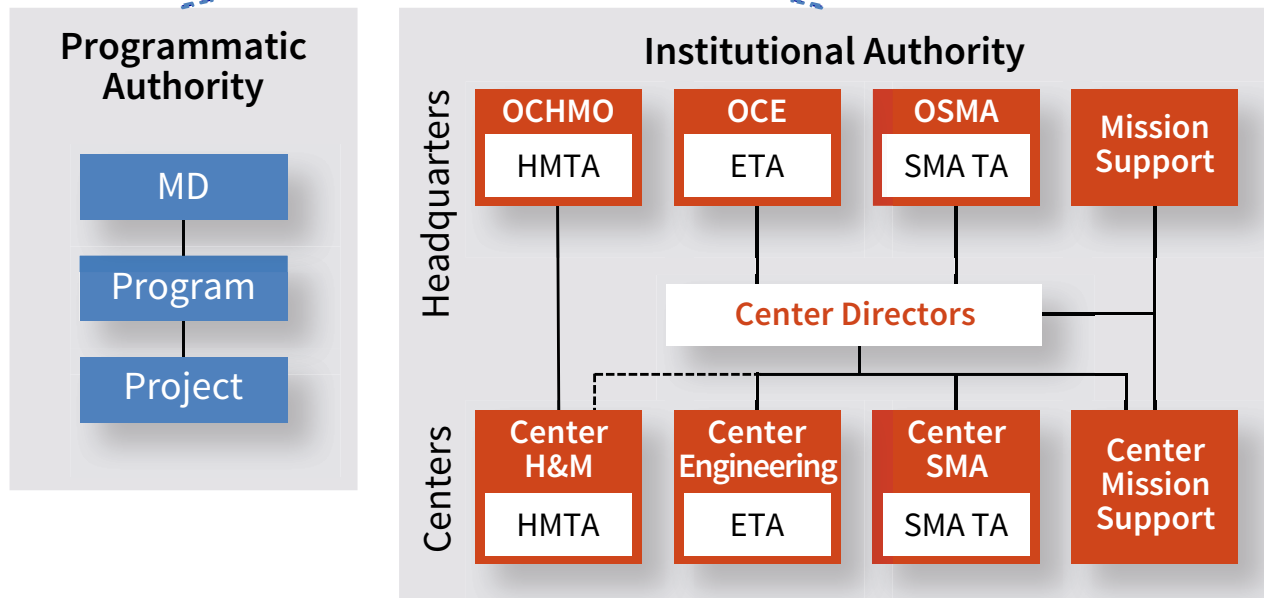


# TA Delegation

Technical Authority is formally delegated and originates from the Administrator and is delegated to the TA Chiefs and further to Center level individuals who fulfill the TA roles.

## TECHNICAL AUTHORITY

### OFFICE OF THE ADMINISTRATOR



TA—Technical Authority  
OCE—Office of the Chief Engineer  
OCHMO—Office of the Chief Health and Medical Officer  
OSMA—Office of Safety and Mission Assurance