

National Aeronautics and Space Administration
Headquarters
Washington, DC 20546-0001

April 23, 2010



NRW 9312-17
NM 9312-89

Reply to Attn of: Office of the Chief Financial Officer

TO: Assistant Administrator for Internal Controls and Management Systems

FROM: Deputy Chief Financial Officer

SUBJECT: Request for a Requirements Waiver for NASA Interim Directive (NID) 9312.2, "Requirements Relating to Conference Attendance, Obligations, and Expenditures"

The Office of the Chief Financial Officer (OCFO) requests a formal waiver from NPR 1400.1D, Section 3.5.2.3's requirement that NIDs expire 12 months after taking effect.

The subject NID governs the conference reporting process, which NASA instituted in response to Congressional direction. The process has changed substantively in response to each of the past two annual Appropriations Acts. Because of these unusually dynamic process requirements, and because of the importance of responding promptly to Congressional mandates, an interim directive that could be implemented quickly has until now provided the only practical means to implement these changing, high-visibility Congressional requirements.

Therefore, when this NID was set to expire in January 2010, OCFO requested, and the Office of Internal Controls and Management Systems granted, a waiver keeping the NID in force while NASA's Office of Legislative and Intergovernmental Affairs, OCFO, and the Office of General Counsel revised its contents consistent with the FY 2010 Appropriations Act. New requirements were also added to respond to the Office of the Inspector General's (OIG) March 23, 2010, report on NASA-sponsored conferences. OIG agreed to close its recommendations once NASA implemented these new requirements.

OCFO's new draft directive reflecting the FY 2010 Appropriations Act and the OIG report must be implemented as soon as possible. Because the standard directives process can take four months or more from inception to issuance, it would put NASA in the position of failing to implement important changes as agreed in response to OIG's latest review. Further, the current NID has significant differences from the FY 2010 Appropriation's provisions; as a result many offices are requesting large-scale waivers from the current NID or, worse, ignoring sections based on their interpretation of the Congressional requirements. The normal directive review cycle does not accommodate

the rapid response needed, and continuing a patchwork of waivers and partial compliance could lead to further OIG censure. For all these reasons, prompt issuance of an updated NID is the most prudent course to put in place requirements consistent with Congressional action and respond to the OIG report.

However, on a parallel track, OCFO will subject the same directive text to the standard directives review and comment process with a view toward issuing it as an NPR by the end of the current fiscal year. This dual approach will address the immediate problem while also providing for the full process required for a standard directive.

Thank you for your consideration of this request. If you have any questions concerning this memorandum, please contact Kevin Buford at (202) 358-0405.

A handwritten signature in black ink that reads "Terry Bowie". The signature is written in a cursive, flowing style with a prominent initial "T".

Terry Bowie