



Ames Procedural Requirements

APR 1000.1

Effective Date: February 9, 2021

Expiration Date: February 9, 2026

COMPLIANCE IS MANDATORY

Subject: Ames Formal Dissent Process

Responsible Office: Code D / Associate Center Director

CHANGE LOG

Status [Baseline /Revision /Cancelled]	Document Revision	Date of Change	Description
Baseline	0	3/4/2011	Baseline release
Revision	1	10/17/2018	Minor update into new APR template and removal of duplications to NPD 1000.0B
Revision	2	2/9/2021	Change nomenclature of “Dissenting Opinion” (DO) to Formal Dissent” (FD). Add a process step that allows the Center Director to request an expedited adjudication of a FD at the Agency level. Add documentation requirements for FDs. Update graphic in App. B. (Changes per Steven Jurczyk letter “Changes to the NASA Dissenting Opinion Process” on June 18, 2020 and upate to NPD 1000.0C, section 3.5.4, para 3, subsection (d).)

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PREFACE

P.1 PURPOSE

a. The purpose of this Ames Procedural Requirement (APR) is to document the practices and procedures to be utilized to establish an Ames Formal Dissent (FD) Process, as required by the NPD 1000.0 in section 3.5.4.

P.2 APPLICABILITY

a. This directive is applicable to ARC and associated facilities (e.g., contractor's facilities, etc.).

b. This APR applies to contractors, grant recipients, or parties to agreements only to the extent specified or referenced in the appropriate contracts, grants, or agreements..

c. In this directive, all mandatory actions (i.e., requirements) are denoted by statements containing the term "shall." The terms: "may" or "can" denote discretionary privilege or permission, "should" denotes a good practice and is recommended, but not required, "will" denotes expected outcome, and "are/is" denotes descriptive material.

d. In this directive, all document citations are assumed to be the latest version unless otherwise noted.

e. This APR is independent from and not applicable to issues covered by other employee appeals processes, such as Employee Grievance Procedures, Inspector General, Acquisition Integrity Program, and Diversity and Equal Opportunity Board.

f. The FD Process defined in this APR is in addition to (and does not limit, alter, or supersede) any other process through which Ames civil servants or contractors, as applicable, may raise grievances or other types of complaints.

P.3 AUTHORITY

a. NPD 1000.0, NASA Governance and Strategic Management Handbook

b. NPD 1000.3, The NASA Organization

P.4 APPLICABLE DOCUMENTS AND FORMS

a. APR 1120.1, Ames Safety & Mission Assurance Technical Authority and Health and Medical Technical Authority

b. APR 1120.2, Ames Engineering Technical Authority

P.5 MEASUREMENT/VERIFICATION

a. Verification of conformance to requirements in this directive are measured through Center and Responsible Organizational management reviews, self-assessments, and subsequent analysis and reports of conformance to requirements, as well as periodic internal audits.

b. The Associate Center Director reports to the Ames Center Director, on an annual basis, the total number (by Directorate) of Formal Dissents submitted to the Ames Formal Dissent Process.

P.6 CANCELLATION

- a. APR 1000.1, Ames Dissenting Opinion Process, Dated: October 17, 2018.

Eugene Tu
Director

DISTRIBUTION STATEMENT:

Internal and external distribution.

CHAPTER 1 PROCESS OVERVIEW

1.1 Definition of a Formal Dissent (FD) at Agency Level

1.1.1 A FD is a substantive disagreement with a decision or action that a staff member judges is not in the best interest of NASA and is of sufficient importance that it warrants a timely review and decision by higher level management. The FD process at the agency level is described in NPD 1000.0. For additional information regarding the FD process refer to NPR 7120.5 and NASA/SP-2014-3705.

1.2 Ames Formal Dissent Process Authority

1.2.1 NPD 1000.3 specifically assigns the Center Director for ARC as the Technical Authority for all NASA projects or subprojects hosted at ARC.

1.3 Formal Dissent Process

1.3.1 The FD Process is depicted in Appendix B, and described in sections 1.4 – 1.8.

1.4 Ames Formal Dissent Steps – Initial Request

1.4.1 Ames Staff Member determines that they have a FD, as defined in section 1.1.1.

1.4.2 Ames Staff Member, hereafter called the FD initiator, requests the use of the FD Process. At this point in the FD process, no documentation is required. At Ames, a FD Process request can be made to the Deputy Director of the Staff Member's Directorate, the Ames Chief Engineer (Engineering Technical Authority, per APR 1120.2), the Ames Chief Medical Officer (Health and Medical Technical Authority, per APR 1120.1), or the Director of Safety and Mission Assurance (SMA) (SMA Technical Authority, per APR 1120.1).

1.5 Ames Formal Dissent Steps – Evaluation/Referral of the Formal Dissent Request

1.5.1 If the FD initiator makes the request to Deputy Director of the FD initiator's Directorate, i.e. line management, then the Deputy Director will determine if the FD is:

- a. Fully within the scope of the Directorate, in which case it will be referred to the Director of the Staff Member's Directorate who will establish a Directorate FD Board.
- b. Not fully within the scope of the Directorate, in which case it will be referred to the Ames Associate Center Director, who will establish a Center FD Board.
- c. Appropriate for referral to the relevant Ames Technical Authority. For a distinction of the scope of the Technical Authorities, reference APR 1120.1 and 1120.2. The cognizant Ames Technical Authorities and the FD initiator must mutually agree to this referral. Otherwise the FD will remain with the Directorate.

1.5.2 If the FD initiator makes the request to either the Engineering, S&MA, or Medical Technical Authority, then that Technical Authority will determine if the FD is:

- a. Best addressed by the Technical Authorities' FD Process or the line management FD Process outlined in this APR.

b. May recommend that the FD be referred to the line management FD Process. The Deputy Director of the Staff Member's Directorate and the FD initiator must mutually agree to this referral. Otherwise the FD will remain with the Technical Authority.

1.5.3 The Evaluation/Referral step of the FD Process will be completed in less than 10 workdays. If an expedited evaluation/review is required, it will be accommodated.

1.6 Ames Formal Dissent Steps – Conduct Formal Dissent Board/Review

1.6.1 After completion of the Evaluation/Referral step, conduct either a Directorate FD Board, Center FD Board, or a Technical Authority FD Review. In all cases, the Board/Review process should include the following steps:

a. The disagreeing parties document the issue (jointly if possible), including agreed-to facts, discussion of the differing positions with rationale and impacts, and the parties' recommendations. The documentation must be approved by the representative of each view, concurred with by affected parties, and provided to the FD Board or Technical Authority conducting the review.

b. In cases of urgency, the disagreeing parties may jointly present the information stated above orally to the FD Board or Technical Authority conducting the review.

c. The determination of the FD Board or Technical Authority conducting the review is documented and provided to the disagreeing parties and becomes part of the program/project record.

1.6.2 The FD Board/Review step of the FD Process will be completed in less than 10 workdays from the date of formal receipt of the dissent. If an expedited board/review is required, it will be accommodated.

1.7 Ames Formal Dissent Process – Appeal

1.7.1 If the FD initiator is not satisfied with the process or determination, the FD initiator may appeal to the next higher level in the Ames FD Process. For a Directorate Board, the appeal would be to a Center Board. For a Center Board or Ames Technical Authority Review, the appeal would be to the Center Director.

1.7.2 The FD Appeal step of the FD Process will be completed in less than 10 workdays from the date of formal receipt of the appeal. If an expedited board/review is required, it will be accommodated.

1.8 Ames Formal Dissent Process - Center Director Review

1.8.1 If a FD is referred to the Center Director, the Center Director shall review the FD and provide a final Center position.

1.8.2 The FD Center Director Review step of the FD Process will be completed in less than 10 workdays from the date of formal receipt of the referral to the Center Director. If an expedited board/review is required, it will be accommodated.

1.8.3 If the FD initiator is still not satisfied, the Center Director will facilitate referring the FD to the appropriate Agency organization.

1.8.4 At the discretion of the Center Director, he or she may request an expedited hearing of a FD at any level within the Agency, up to and including the NASA Administrator, as provided by NPD 1000.0 section 3.5.4.

1.9 Ames Formal Dissent Process – Documentation

1.9.1 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.

CHAPTER 2 RESPONSIBILITIES

2.1 The Ames Staff Member or Program (Project) Team Member shall:

- a. Raise to the Deputy Director of their Directorate or an Ames Technical Authority that there is an issue that requires the FD Process as defined in section 1.1.1.
- b. Provide written statements or oral presentations, as requested by Directorate or Center management or Ames Technical Authority overseeing the Ames FD Process, that establish agreed upon facts and the Ames staff member's position, rationale, and recommendations regarding the matter of the FD.

2.2 The Director/Deputy Director of Ames Directorate shall:

- a. Obtain written statements from the FD parties that jointly establish the facts agreed upon and their respective positions, rationale, and recommendations.
- b. Arrange a Directorate FD Board chaired by the Director of their Directorate if the scope of the FD falls fully within the scope of their Directorate at which the disagreeing parties jointly present their positions. The Director will then oversee the process of developing a Directorate FD Board position and conveying that opinion to the FD parties.
- c. Refer the FD to the Ames Associate Center Director if the scope of the FD is beyond the scope of their Directorate.
- d. Recommend that the FD be referred to one of the Ames Technical Authorities. The Ames Technical Authorities and the FD initiator must mutually agree to this referral; otherwise the FD will remain with the Directorate.

2.3 The Ames Associate Director shall:

- a. Establish and chair an Ames FD Board consisting of the Deputy Directors of all Ames Directorates.
- b. Recommend that the FD be referred to one of the Ames Technical Authorities. The Ames Technical Authorities and the FD initiator must mutually agree to this referral.
- c. Maintain a listing of Formal Dissents brought forward at Ames, including the current status, whether or not the FD has been appealed, and to which level.

2.4 The Ames Center Director shall:

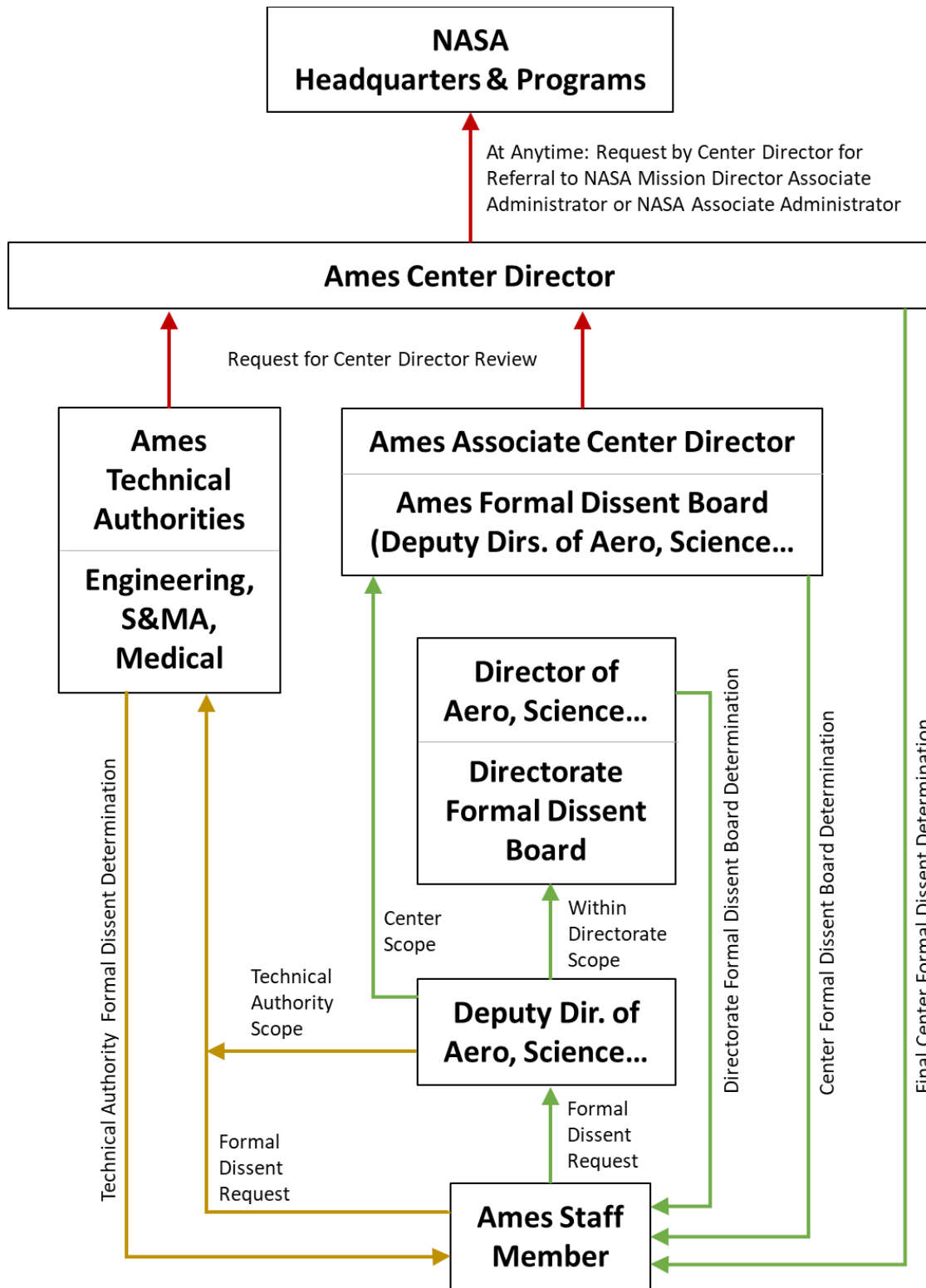
- a. Review the FD to provide a final Center determination in the event that the FD initiator is not satisfied with the outcome of the Ames FD Board.
- b. Facilitate the referral of the FD to the appropriate Agency organization in in the event that the FD initiator is not satisfied with the outcome of the Ames FD Board
- c. At his or her discretion, request an expedited hearing of a FD at any level within the Agency up to and including the NASA Administrator based upon his or her judgement that a rapid resolution of the FD is in the best interests of the Agency and the dissenting individual/organization.

APPENDIX A. ACRONYMS

APD	Ames Procedural Document
APR	Ames Procedural Requirement
ARC	Ames Research Center
FD	Formal Dissent
NPD	NASA Procedural Document
NPR	NASA Procedural Requirement
SMA	Safety and Mission Assurance

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APPENDIX B. AMES FORMAL DISSENT PROCESS



APPENDIX C. REFERENCES

- C.1 NPR 7120.5, NASA Space Flight Program and Project Management Requirements
- C.2 NASA/SP-2014-3705, NASA Space Flight Program and Project Management Handbook