



October 21, 2013

NASA's Response to OIG's Report Concerning Bo Jiang's Access to the NASA Langley Research Center¹

NASA appreciates your comprehensive and carefully considered report and your efforts in helping the Agency review and improve this critical area of NASA operations. NASA has reviewed the above-referenced report and provides herein the Agency's response.

Following the events surrounding Mr. Jiang's access to NASA, the NASA Administrator immediately placed a moratorium on certain foreign visitor access to NASA facilities pending an internal review of NASA's foreign visitor access policies and procedures. As noted in your report, the Langley Research Center (LaRC) immediately initiated its own review of the matter and proactively initiated a number of changes to its standard operating procedures to strengthen its foreign national access process. These steps included increased education and training, alignment of existing forms and procedures, enhanced penalties, and improved coordination among relevant offices. These changes are serving as a model for Agency-wide improvements in a number of areas.

In addition to an internal review, the Administrator ordered an independent review of NASA's access policies and procedures. In July 2013, NASA engaged the National Academy of Public Administration (NAPA) to conduct a Focused Independent Security Review of NASA's foreign national access management within the five identified scope areas: Physical and Logical Access, Information Technology Security, Counterintelligence, Export Control, and Organizational and Functional Relationships. NASA is working closely with the NAPA review team and looks forward to its conclusions.

NASA concurs with each of the IG report's six recommendations, subject to the clarifications below.

¹ Similar to the IG's public summary report on this matter, we are providing a response without information protected by the Privacy Act of 1974, as amended, 5 U.S.C. § 552a, appropriate for public release.

NASA Response to OIG Recommendation #1: NASA concurs with the recommendation to examine the roles of all internal offices involved in foreign visitor approvals.

Accordingly, on March 20, 2013, the NASA Administrator announced a moratorium on the granting of any new access to NASA facilities for individuals from specific designated countries. NASA Center Directors were also directed to assemble a team to assess their foreign national management programs/processes in the areas of Security and Export Control to ensure compliance with existing NASA regulations. All Center Directors reported this action was completed by June 2013.

Additionally, NASA specifically requested that the NAPA team “[a]ssess existing Agency organizational structure and management oversight related to the implementation of security, counterintelligence, and export control policies and procedures.” The Final Report from NAPA, which is to include a risk-based prioritized list of findings and recommendations specific to the management of foreign national access, is currently scheduled to be delivered to NASA at the end of 2013.

NASA Response to OIG Recommendation #2: NASA concurs with the IG recommendation to improve training for the NASA sponsors of foreign nationals. As part of the foreign national moratorium discussed above, the Headquarters Office of Protective Services (OPS) reviewed local and Agency-wide escort policy and training. All NASA Centers reviewed and confirmed existing foreign national procedures and training requirements. Additionally, all NASA Centers confirmed that all requesters and sponsors of foreign nationals had taken the required training, to better understand and perform their roles and responsibilities.

As part of the foreign national moratorium, OPS provided examples to the NASA Centers of what manner and intensity of training would be compliant with requirements. The OPS will continue to provide training “best practices” to Centers, including an enhanced sponsor training with an emphasis on foreign nationals. This training will also be available in the Agency’s online training system.

NASA Response to OIG Recommendation #3: NASA concurs that the Security/Technology Transfer Control Plans (S/TTCPs) should be revised to include taking of Government-owned IT assets out of the United States. To address this recommendation, cognizant Headquarters offices are forming a working group to revise the format and content of TTCPs, which are addressed in existing procedural requirements. The overall goal of the working group is to provide foreign nationals, NASA sponsors, and International Visit Coordinators with a single document that sets forth the restrictions placed upon a visitor’s access to NASA’s physical and/or logical infrastructure. In addition, the document will outline the foreign national’s responsibilities in their use of Government equipment and the procedures required for use of Government-furnished Information Technology (IT) equipment during international travel.

Of note, LaRC has already revised and updated its Center-specific technology transfer control plans. The revised plans address taking NASA IT equipment, information, and

technology outside of the United States. LaRC's Office of the Chief Information Officer (OCIO) is also working to formalize a process to ensure LaRC OCIO coordination as part of the existing foreign travel approval process to ensure knowledge and compliance of foreign nationals, foreign national hosts, and NASA employees traveling out of the United States.

NASA Response to OIG Recommendation #4: NASA concurs with the OIG recommendation to require sponsors of foreign nationals to acknowledge receipt of a technology transfer control plan and their understanding of other limitations. This initiative will also include additional staff liaison for foreign national visitors amongst HQ offices and ensuring sponsor roles are consistent throughout the Agency. To further support the OIG recommendations, OPS will incorporate changes to the existing identity management system (known as IdMAX) in conjunction with a previously planned IdMAX modernization project. Of note, LaRC took immediate action to address Center-specific policies and procedures to ensure compliance and to provide plans of action associated with this incident.

NASA Response to OIG Recommendation #5: NASA concurs with the IG recommendation that organization officials be made aware of any conditions placed on foreign nationals assigned to or associated with their organizations. NASA will continue to make every effort to improve coordination and understanding with contractors (all tiers), partners, and other outside entities that are hiring or otherwise engaging foreign nationals for work with NASA. Contractor and agreement partner entity representatives responsible for oversight of foreign nationals with whom the entity is associated (such as an employee, consultant, or student) will receive a copy of the TTCP. Contracting Officer representatives and Space Act Agreement (SAA) points of contact will receive a copy of applicable TTCPs.

With respect to the National Institute of Aerospace (NIA) specifically, LaRC issued a letter to NIA on June 3, 2013, that required NIA to conduct a review of its policies, procedures, and regulations to ensure compliance and to submit a plan of action associated with this requirement. On June 18, 2013, NIA provided its plan of action, which included: briefings for new employees and subcontractors working in a classified environment; annual refresher training; signature acknowledgement of employee participation in orientation/refresher briefings; revised foreign travel policies and procedures, including enhanced training and laptop/equipment restrictions; and briefings regarding foreign national access to LaRC. LaRC continues to monitor NIA's implementation of this plan.

NASA Response to IG Recommendation #6: NASA will await the reports or recommendations of other Government agencies before any personnel actions are considered by appropriate management.