

Response to NASA OIG Report IG-25-009 pursuant to the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023, Public Law 117-263, Section 5274

Section 5274 of Public Law 117-263, the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 requires Offices of Inspector General (OIG) to notify all non-governmental organizations or business entities that are specifically mentioned in an OIG report. Section 5274 further requires the OIG to attach any response received from a non-governmental organization or business entity to the report in which they are mentioned. Therefore, in accordance with Section 5274, attached is a response provided to the NASA OIG regarding the report on *NASA's Standing Review Board Practices*, report number IG-25-009, issued July 31, 2025.

This response represents the views of Cornell Technical Services. NASA OIG did not evaluate this response and offers no comment and makes no representations, expressed or implied, of any nature with respect to the matters stated therein.



Response to NASA Office of Inspector General (OIG) report of NASA's Standing Review Board Practices (IG-25-09) dated July 31, 2025.

Cornell Technical Services (CTS) provides the following response and information to clarify and provide additional information to the following statements with the report.

NASA OIG included in the report the following finding regarding Conflict-of-Interest Policy and Process:

Required Forms Are Not Consistently Used in the Conflict Review Process

*The Aerospace Corporation and **Cornell Technical Services**—the two contractors referenced in the Agency's Conflicts Clearance Review Process training and in mission directorate guidance for SRB member recruitment—are not using the Background Information and Confidential Conflict of Interest Disclosure form during the conflict-of-interest screening process for the members they obtain. Instead, each contractor has developed its own process for SRB applicants using a web-based internal training and certification system to collect the information requested on this form. After reviewing the materials provided by each contractor in support of their processes, we determined that several questions included on the required Background Information and Confidential Conflict of Interest Disclosure form do not appear to be directly addressed in the contractors' processes, but in most instances they could be considered indirectly addressed through broader, less specific questions. If information required to determine the existence of conflicts of interest is not provided, potential conflicts may not be disclosed and evaluated and an individual's recommendations as part of an SRB could potentially be biased.*

CTS disagrees with the NASA OIG report finding that we are “not using the Background Information and Confidential Conflict of Interest Disclosure form during the conflict of interest screening process for the member they obtain”. The NASA OIG report does not mention that CTS is contractually obligated to follow our Evaluations, Assessments, Studies, Services, and Support 3 (EASSS 3) OCI/PCI Mitigation Plan as incorporated into the EASSS 3 contract. CTS' position, as discussed below, is our processes and forms are more stringent and provide more information than incorporated in the SRB Handbook and provide the detailed information necessary to conduct an OCI/PCI review for all aspects of the EASSS 3 contract.

Background

Pursuant to the EASSS 3 Request for Proposal (RFP) requirement CTS submitted an Organizational Conflict of Interest (OCI) & Personal Conflict of Interest (PCI) Avoidance Plan as part of the EASSS 3 proposal submission. The contract was awarded to CTS on September 1, 2020. The OCI/PCI Avoidance plan was accepted by NASA and incorporated into the contract as Exhibit D. This plan details the EASSS 3 OCI/PCI framework and provides significant detail to address OCI/PCI Avoidance for all aspects of the EASSS 3 contract Statement of Work (SOW).

CTS is currently executing all aspects of the contract with the overarching requirement to ensure that all evaluations, assessments, and studies are objective and meet all requirements regarding organizational and personal conflicts of interest and limitations of future contracting as defined by this contract and as further defined in the individual task orders.

Response

CTS's management processes and procedures for identifying, mitigating, neutralizing, and/or avoiding Organizational Conflicts of Interest (OCIs) and Personal Conflicts of Interest (PCIs) are a cornerstone of our successful execution of the EASSS 3 contract. The IG report implies that, as a result of our decision to not use the standard Background Information and Confidential Conflict of Interest Disclosure form noted in the NASA SRB Handbook, "potential conflicts may not be disclosed and evaluated and an individual's recommendations as part of an SRB could potentially be biased." However, we contend the IG did not review our processes and forms, as a whole and in context with our contract. Our processes and forms actually yield a *higher level of fidelity* than simply utilizing said form in isolation.

During the initial onboarding of any Subject Matter Expert (SME), to include SRB members, CTS requires the completion of a web-based Conflict of Interest (COI) training module. This is a critical tool, giving SMEs insight into how to initially identify COIs, the importance of conflict avoidance, neutralization, or mitigation, and most critical, their duty to remain vigilant of, and immediately report, potential new conflicts of interest that may arise during the entirety of their time on the SRB board. It is only after SMEs complete this training that they are given access to the CTS COI questionnaire, our modified version of the Background Information and Confidential Conflict of Interest Disclosure form, to make their own COI disclosures related to the SRB task at hand. The forms, questions and processes are consistent with our EASSS 3 contract OCI/PCI mitigation plan.

While CTS is not contractually required to utilize the Background Information and Confidential Conflict of Interest Disclosure form appended to the NASA SRB Handbook (NASA/SP-2016-3706 REV B, December 2016), the contents of CTS's COI questionnaire have been based on this document. Our changes to the form contents include the addition of sections related to a SME's association to any individuals participating in the mission, as well as political influence, and future proposal activity. We have also continued to streamline the format over time, in accordance with our contract, to improve the ease of reporting without sacrificing contents of the form. Finally, as noted in the IG report, we often utilize "broader, less specific questions." This is purposeful, as we aim to provide a broader range of SME disclosures. CTS greatly emphasizes to all SMEs during their training that we prefer the over-reporting rather than under-reporting of potential COIs. This strategy aims to avoid the IG's fear that conflicts are not reported and evaluated.

Given CTS' preference for over-reporting potential COIs, after receiving the completed COI questionnaire, CTS reviews every disclosure made. We engage, in an iterative email exchange with the SME, to discern the fullest picture of any possible COIs. Additionally, we review past COI questionnaires and COI adjudication memos of our SMEs to ensure that any previous



disclosures are or are not currently relevant. As mentioned, we address all disclosures, and draft COI adjudication memos to address all significant disclosures.

Finally, as noted above, CTS believes in continued diligence related to identifying and reporting any new COIs. If the SME is active on a task, they will review the web-based COI training module, initially performed during onboarding, again on an annual basis. If a SME completes their SRB work and is subsequently assigned to a new SRB, they will re-take the training module before they are given the new COI questionnaire. Additionally, once per year, CTS SMEs are fully re- vetted with an updated list of conflicted participants on the SRB to maintain a conflict-free SRB.

In summary, the IG report concludes that CTS's utilization of a different form than that presented in the SRB Handbook (Rev B) may lead to missed COIs. However, each element of our plan: 1) CTS's web-based training for identifying and disclosing COIs, 2) the encouragement for SMEs to over-report via broad questions, 3) a thorough iterative dialog between the SME and the CTS COI Manager to fully understand the relevance of any disclosures made, 4) reviewing past COI questionnaires and COI adjudication memos of the SME, 5) encouraging continued diligence for COI identification and disclosure during the review period, 6) annual re-training via the web-based module, and 7) annual COI re-vetting of SMEs, when viewed collectively, offer a robust process for identifying, mitigating, neutralizing, and/or avoiding COIs—which we argue is more stringent than incorporated in the SRB Handbook. As a result of our very robust OCI/PCI Mitigation Plan in performing the EASSS, EASSS 2, and EASSS 3 (to date) contracts, CTS has not had any evaluation or review impacted as a result of an OCI or PCI.