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X-Sender: m.i.mark@pop.larc.nasa.gov  
X-Mailer: QUALCOMM Windows Eudora Version 5.0.2  
Date: Fri, 28 Feb 2003 12:09:00 -0500  
To: K.L.S.SMITH@larc.nasa.gov, w.T.MCMURRY@larc.nasa.gov  
From: "Michael I. Mark" <m.i.mark@larc.nasa.gov>  
Subject: Fwd: Wilford Hall MLC Number

Karen and Tom -

This is the second of two messages I have that are responsive to the FOIA tasking that came in while I was on leave.

MM

Date: Tue, 04 Feb 2003 10:20:54 -0500  
To: JD MICHAEL G WINCHELL <michael.g.winchell1@jsc.nasa.gov>,  
From: "Michael I. Mark" <m.i.mark@larc.nasa.gov>  
Subject: Wilford Hall MLC Number  
Cc: Kathy Ann Kurke <k.a.kurke@larc.nasa.gov>

Mike -

The telephone number for the Medical Law Consultant at Wilford Hall Medical Center is [REDACTED]

[REDACTED] Hope this is of some help. If you need further assistance, please let me know.

Michael I. Mark, Attorney-Advisor  
Office of the Chief Counsel  
NASA Langley Research Center  
(757) 864-3404

FOIA Exemption  
(b)(6)

X-Sender: m.i.mark@pop.larc.nasa.gov  
X-Mailer: QUALCOMM Windows Eudora Version 5.0.2  
Date: Fri, 28 Feb 2003 12:08:18 -0500  
To: K.L.S.SMITH@larc.nasa.gov, w.T.MCMURRY@larc.nasa.gov  
From: "Michael I. Mark" <m.i.mark@larc.nasa.gov>  
Subject: Fwd: Air Force Instruction

Karen and Tom -

This is the first of two e-mails I have that are responsive to the FOIA tasking that came in while I was on leave.

MM

Date: Mon, 03 Feb 2003 17:37:37 -0500  
To: JD MICHAEL G WINCHELL <michael.g.winchell1@jsc.nasa.gov>,  
From: "Michael I. Mark" <m.i.mark@larc.nasa.gov>  
Subject: Air Force Instruction  
Cc: Kathy Ann Kurke <k.a.kurke@larc.nasa.gov>

Mike -

Attached is Air Force Instruction (AFI) 41-210, which deals with patient administration activities. Attachment 10 to this AFI is entitled, "Procedures Relating to Deceased Patients". I hope this is of some use to you. I am trying to track down a telephone number for the Medical Law Consultant at Wilford Hall Medical Center.

In addition, this is the URL for the Armed Forces Institute of Pathology: <http://www.afip.org/>  
The home page has a telephone number, (202) 782-2100. There is a "legal medicine" page under the "Departments" listing. The chairman of this department is a Colonel Frank T. Flannery, who has both an MD and JD degree. He's an Army colonel. The phone number on the web page is 1-800-863-3263.

I hope this is of some use. If you need more information, please let me know.

Michael I. Mark, Attorney-Advisor  
Office of the Chief Counsel  
NASA Langley Research Center  
(757) 864-3404



afi41~1.pdf

X-Sender: k.a.kurke@express.larc.nasa.gov  
X-Mailer: QUALCOMM Windows Eudora Version 5.0.2  
Date: Wed, 05 Feb 2003 18:35:43 -0500  
To: K.E.LOVE@larc.nasa.gov, S.T.GALLAGHER@larc.nasa.gov,  
K.M.REILLEY@larc.nasa.gov, C.A.POLEN@larc.nasa.gov,  
M.I.MARK@larc.nasa.gov, w.t.mcmurry@larc.nasa.gov,  
J.A.ARENA@larc.nasa.gov, C W Cleghorn <C.W.Cleghorn@larc.nasa.gov>,  
L.B.BLACKBURN@larc.nasa.gov, R.W.EDWARDS@larc.nasa.gov,  
K.G.HAMMERLE@larc.nasa.gov, h.m.galus@larc.nasa.gov,  
B.V.GIBBENS@larc.nasa.gov  
From: Kathy Ann Kurke <k.a.kurke@larc.nasa.gov>  
Subject: Fwd: Columbia accident --PAO/FOIA memo re requests for records  
Cc: M.P.FINNERAN@larc.nasa.gov, D.C.FREEMAN@larc.nasa.gov,  
L.M.COUCH@larc.nasa.gov, S.L.YOKUM@larc.nasa.gov

A revision to the last one  
Kathy

X-Authentication-Warning: spinoza.public.hq.nasa.gov: majordom set sender to owner-  
chiefcounsel using -f  
X-Sender: wbierbow@mail.hq.nasa.gov  
X-Mailer: QUALCOMM Windows Eudora Version 4.3.2  
Date: Wed, 05 Feb 2003 18:08:29 -0500  
To: ChiefCounsel@spinoza.public.hq.nasa.gov  
From: William Bierbower <wbierbow@hq.nasa.gov>  
Subject: Columbia accident --PAO/FOIA memo re requests for records  
Cc: ppastore@hq.nasa.gov, rstephen@hq.nasa.gov, jsteptoe@hq.nasa.gov,  
dthomas1@hq.nasa.gov, gmiller@hq.nasa.gov, dgayle@hq.nasa.gov,  
George.P.Sloup@nasa.gov, Blakely.A.Lord@nasa.gov,  
Kaprice.L.Harris@nasa.gov, David.S.Schuman@nasa.gov,  
THowell@nmo.jpl.nasa.gov, Geoffrey.S.Swanson@nasa.gov,  
t.mccury@larc.nasa.gov, Christi.L.Dame@nasa.gov,  
Robert.Magnuson@ssc.nasa.gov  
Sender: owner-chiefcounsel@lists.hq.nasa.gov

Please find attached the latest version of the draft memorandum regarding FOIA treatment of requests for Columbia-related records. This draft contains a revision, in italics, to the draft cc'ed to you by Carolyn Johnson approximately one hour ago, plus the list of Chief Counsels' designated attorneys on the FOIA legal team.

Bill

William J. Bierbower  
Senior Attorney  
Office of the General Counsel  
NASA Headquarters  
3rd and E Streets, SW  
Washington, D.C.  
202-358-1780

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**Kathy Ann Kurke  
Chief Counsel  
NASA Langley Research Center**

---

Office of Chief Counsel  
M.S. 141, 9A Langley Blvd  
NASA Langley Research Center,  
Hampton, VA 23681-0001

E- mail: [k.a.kurke@larc.nasa.gov](mailto:k.a.kurke@larc.nasa.gov)  
Phone: (757) 864-3221  
FAX: (757) 864-8296



FOIA -- Columbia records requests113.doc

**DRAFT 2/5/03 6:00 P.M. Eastern Time**

TO: PAO/FOIA Offices

FROM: Assistant Administrator, Office of Public Affairs

SUBJECT: Requests for Records Related to the Columbia Accident

DATE: February \_\_, 2003

This memorandum establishes the procedures for processing “third party” requests to NASA Centers and Headquarters for all records related to the Columbia/STS-107 accident and related investigations (referred to below as “Columbia-related records”). *This memorandum does not establish new procedures, but instead addresses the application of NASA’s existing Freedom of Information Act procedures (14 C.F.R. Section 1206) to the unique situation at hand.* The goals of this process include assurance of timely responses to requests, thorough documentation of all records requested by and released to third parties, and publication of those records through a NASA internet web site described below.

This policy applies to all “third parties,” which is any person or organization other than: 1) NASA employees, 2) NASA contractors involved in the Columbia accident investigation or involved in the Shuttle program, 3) other Federal agencies, and 4) the Columbia Accident Investigation Board (CAIB) chaired by Adm. Gehman, and its supporting contractors. The following procedural guidelines will be followed in handling third-party requests:

- **Processing requests:**

- Any request from third-parties for Columbia-related records will be processed under NASA’s Freedom of Information Act (FOIA) procedures, 14 C.F.R. Part 1206, including log-in/log out of all requests.
- Any oral request by a third party for Columbia-related records must be reduced to writing and submitted to the appropriate PAO/FOIA office.
- All draft responses (initial determinations) will be reviewed expeditiously by Chief Counsel (Code GG for Headquarters) and appropriate technical personnel.
- All requests will be processed promptly: the requests and records determined responsive to the requests will be promptly located and reviewed, and timely decisions will be made concerning releasability.
- [Dave Kings’ group in Lufin – need to discuss procedures]

- **Daily lists of requests:**

- Center and HQ FOIA offices will compile a daily list of Columbia-related requests and forward their lists daily to a designated attorneys (listed below) in the Center Chief Counsel's/General Counsel (Code GG) office.
- **Publicly available web site for released records:**
  - Centers' and HQ FOIA Officers will provide NASA Headquarters PAO with all initial determinations and released records [in digital format] on the date they are issued to the requesting party.
  - These records will be published promptly on a publicly available web site to be established by HQ PAO.
- **Chief Counsels' Designated Attorneys:**

Ames:	George Sloup
Dryden:	Blakely A Lord
Glenn:	Kaprice Harris
Goddard:	David Schuman
JPL/NMO:	Tim Howell
KSC:	Geoff Swanson
LaRC:	Tom McMurry
Marshall:	Christi Dame
Stennis:	Robert Magnuson

cc:  
Center News Chiefs

**Kathy Ann Kurke, 05:59 PM 2/5/2003 -0500, request for 3rd party documents regarding Columbia**

X-Sender: k.a.kurke@express.larc.nasa.gov  
X-Mailer: QUALCOMM Windows Eudora Version 5.0.2  
Date: Wed, 05 Feb 2003 17:59:25 -0500  
To: K.E.LOVE@larc.nasa.gov, S.T.GALLAGHER@larc.nasa.gov,  
K.M.REILLEY@larc.nasa.gov, C.A.POLEN@larc.nasa.gov,  
M.I.MARK@larc.nasa.gov, w.t.mcmurry@larc.nasa.gov,  
J.A.ARENA@larc.nasa.gov, C W Cleghorn <C.W.Cleghorn@larc.nasa.gov>,  
<Cheryl.W.Cleghorn@nasa.gov>  
From: Kathy Ann Kurke <k.a.kurke@larc.nasa.gov>  
Subject: request for 3rd party documents regarding Columbia  
Cc: M.P.FINNERAN@larc.nasa.gov, D.C.FREEMAN@larc.nasa.gov,  
L.M.COUCH@larc.nasa.gov, S.L.YOKUM@larc.nasa.gov

Attached is a HQ memo hot off the press that establishes procedures for processing 3rd party requests to NASA Centers for all records related to Columbia. I have been directed to make sure this policy is in place. Tom will get together with Cheryl to develop a way of getting the word out as appropriate.

Kathy

X-Authentication-Warning: spinoza.public.hq.nasa.gov: majordom set sender to owner-chiefcounsel using -f

X-Sender: cjohnson@mail.hq.nasa.gov  
X-Mailer: QUALCOMM Windows Eudora Version 4.3.2  
Date: Wed, 05 Feb 2003 16:41:22 -0500  
To: william Bierbower <wbierbow@hq.nasa.gov>  
From: Carolyn Johnson <cjohnson@hq.nasa.gov>  
Subject: Fwd: TO:  
Cc: ChiefCounsel@spinoza.public.hq.nasa.gov  
Sender: owner-chiefcounsel@lists.hq.nasa.gov

X-Sender: wbierbow@mail.hq.nasa.gov  
X-Mailer: QUALCOMM Windows Eudora Version 4.3.2  
Date: Wed, 05 Feb 2003 15:10:58 -0500  
To: cjohnson@hq.nasa.gov  
From: William Bierbower <wbierbow@hq.nasa.gov>  
Subject: TO:

**Kathy Ann Kurke  
Chief Counsel  
NASA Langley Research Center**

Office of Chief Counsel

E- mail: k.a.kurke @larc.nasa.gov



**Kathy Ann Kurke, 05:59 PM 2/5/2003 -0500, request for 3rd party documents regarding Columbia**

M.S. 141, 9A Langley Blvd  
NASA Langley Research Center,  
Hampton, VA 23681-0001

Phone: (757) 864-3221  
FAX: (757) 864-8296



FOIA -- Columbia records requests1.doc

TO: PAO/FOIA Offices

FROM: Assistant Administrator, Office of Public Affairs

SUBJECT: Requests for Records Related to the Columbia Accident

DATE: February 5, 2003

This memorandum establishes the procedures for processing “third party” requests to NASA Centers and Headquarters for all records related to the Columbia/STS-107 accident and related investigations (referred to below as “Columbia-related records”). This memorandum does not establish new procedures, but instead addresses the application of NASA’s existing Freedom of Information Act procedures (14 C.F.R. Section 1206) to the unique situation at hand. The goals of this process include assurance of timely responses to requests, thorough documentation of all records requested by and released to third parties, and publication of those records through a NASA internet web site described below.

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- [Dave Kings’ group in Lufin – need to discuss procedures]

- **Daily lists of requests:**

- Center and HQ FOIA offices will compile a daily list of Columbia-related requests and forward their lists daily to a designated attorney contacts (listed below) in the Center Chief Counsel’s/General Counsel (Code GG) office.

- **Publicly available web site for released records:**

- Centers' and HQ FOIA Officers will provide NASA Headquarters PAO with all initial determinations and released records [in digital format] on the date they are issued to the requesting party.
- These records will be published promptly on a publicly available web site to be established by HQ PAO.

**\*Chief Counsels Designated Attorneys (list will be added)**

cc:

Center News Chiefs

Subject: Shuttle  
Date: Fri, 31 Jan 2003 11:30:14 -0500  
X-MS-Has-Attach: yes  
Thread-Topic: Shuttle Mission...  
Thread-Index: AcLlgq8cWsbJqBD8TmmtREyG9QptQAAwi6owAAA7SuA=  
From: ██████████  
To: "Kathy Ann Kurke (E-mail)" <k.a.kurke@larc.nasa.gov>,  
"Shawn T. Gallagher (E-mail)" <s.t.gallagher@larc.nasa.gov>,  
"Pete Polen (E-mail)" <c.a.polen@larc.nasa.gov>,  
"Kevin Love (E-mail)" <k.e.love@larc.nasa.gov>,  
"Dawn Drabeck (E-mail)" <d.s.drabeck@larc.nasa.gov>,  
"Rami Hanash (E-mail)" <cbreeze2@aol.com>

Cool Shuttle pics.



[shuttle\\_departure.pps](#)

*- See #SB-40 for  
copy of attachment*

In

---

To: "Paul Pastorek" <ppastore@hq.nasa.gov>,  
"Robert Stephens" <rstephen@hq.nasa.gov>  
Cc: "Shawn Gallagher" <S.T.GALLAGHER@larc.nasa.gov>  
Subject: The Columbia Disaster - and our offer to assist you.

Paul and Bob:

My staff and I stand ready to assist you all in any way we can - in support of whatever legal issues arise out of this horrible disaster. I have received calls from staff attorneys offering to serve on a claims team - or whatever you need.

I can be reached at home at [REDACTED], cell at [REDACTED], or the office at 757-864-3221.

I will also await your instructions regarding the EEO case. I would assume that will be put on hold. Yes?

I know this is going to be a real test of the NASA leadership - (and, of course, to the entire NASA Family). As I said before, LaRC OCC is anxious to assist as you meet those challenges.

Kathy

Reply-To: "Kathy Ann Kurke" <k.a.kurke@larc.nasa.gov>  
From: "Kathy Ann Kurke" <k.a.kurke@larc.nasa.gov>  
To: "Anderson-1, Bruce" <Bruce.H.Anderson@nasa.gov>  
Subject: Re: last week's meeting.  
Date: Sun, 2 Feb 2003 14:19:04 -0500  
X-Mailer: Microsoft Outlook Express 6.00.2720.3000

You are very welcome.

You know, Bruce, the launch you arranged for us to attend has so very much more meaning than it did before. I remember that while the launch was described as "picture perfect" one could not help but feel the enormity of the whole space travel business. And as the shuttle pulled away I think that even those who were uncertain about their faith uttered a silent prayer for their safe return.

I can not imagine what KSC and JSC is going through right now. My staff understands that both you and Mike W and your staffs will have a heavy load to face. We would like to pitch in and lift some of your burden. In addition - I assume that there is a good chance that you knew one or more of the astronauts. If so - I am sorry for your personal loss.

By the way... if there is anything you would like our office to do for you on the off hours - my home phone is [REDACTED] and my cell is [REDACTED]

Kathy

----- Original Message -----

**From:** Anderson-1, Bruce  
**To:** 'Kathy Ann Kurke'  
**Sent:** Sunday, February 02, 2003 12:49 PM  
**Subject:** RE: last week's meeting.

Kathy -

I was just now able to get to this e-mail. Thanks . . . Bruce.

-----Original Message-----

**From:** Kathy Ann Kurke [mailto:k.a.kurke@larc.nasa.gov]  
**Sent:** Tuesday, January 21, 2003 5:23 PM  
**To:** Bruce.H.Anderson@nasa.gov  
**Cc:** Suzanne.C.Stuckey@nasa.gov  
**Subject:** last week's meeting.

Bruce -

Just a quick note to tell you that I thought you did a terrific job in putting together that conference. It ran very smoothly even though you had to contend with an iffy launch schedule and a bunch of characters like all of us! The hotel was nice, the choice of restaurants was great, and the meeting room and support were perfect. You and your administrative staff clearly run an efficient and effective organization! You certainly set the bar for future meetings. I doubt that anyone will beat it.

Kathy

**Kathy Ann Kurke**  
**Chief Counsel**

NASA Langley Research Center

---

Office of Chief Counsel  
M.S. 141, 9A Langley Blvd  
NASA Langley Research Center,  
Hampton, VA 23681-0001

E- mail: [k.a.kurke @larc.nasa.gov](mailto:k.a.kurke@larc.nasa.gov)  
Phone: (757) 864-3221  
FAX: (757) 864-8296

Reply-To: "Kathy Ann Kurke" <k.a.kurke@larc.nasa.gov>  
From: "Kathy Ann Kurke" <k.a.kurke@larc.nasa.gov>  
To: "Tom McMurry" <w.t.mcmurry@larc.nasa.gov>,  
"Shawn Gallagher" <S.T.GALLAGHER@larc.nasa.gov>,  
"Sharon Seward" <s.s.seward@larc.nasa.gov>,  
"Pete Polen" <C.A.POLEN@larc.nasa.gov>,  
"MICHAEL MARK I" <M.I.MARK@larc.nasa.gov>,  
"Kevin Love" <K.E.LOVE@larc.nasa.gov>,  
"Ken Wilson" <K.G.WILSON@larc.nasa.gov>,  
"Ken Goetzke" <K.H.GOETZKE@larc.nasa.gov>,  
"Karen Smith" <K.L.S.SMITH@larc.nasa.gov>,  
"Karen Reilley" <K.M.REILLEY@larc.nasa.gov>,  
"Jon Arena" <J.A.ARENA@larc.nasa.gov>,  
"Dawn Drabeck" <d.s.drabeck@larc.nasa.gov>,  
"Bridgette M Singleton" <b.m.singleton@larc.nasa.gov>,  
"Linda Blackburn" <L.B.BLACKBURN@larc.nasa.gov>

Subject: Fw: Aviation Weekly

Date: Sun, 2 Feb 2003 20:41:13 -0500

X-Mailer: Microsoft Outlook Express 6.00.2720.3000

FYI

----- Original Message -----

**From:** WINCHELL, MICHAEL G., JD (MIKE) (JSC-AL) (NASA)

**To:** [bruce.anderson-1@ksc.nasa.gov](mailto:bruce.anderson-1@ksc.nasa.gov) ; [david.samuels@mail.dfrc.nasa.gov](mailto:david.samuels@mail.dfrc.nasa.gov) ;  
[dforbes@hq.nasa.gov](mailto:dforbes@hq.nasa.gov) ; [dwojnaro@hq.nasa.gov](mailto:dwojnaro@hq.nasa.gov) ; [jmannix@hq.nasa.gov](mailto:jmannix@hq.nasa.gov) ;  
[john.w.sikora@lerc.nasa.gov](mailto:john.w.sikora@lerc.nasa.gov) ; [jsteptoe@hq.nasa.gov](mailto:jsteptoe@hq.nasa.gov) ; [k.a.kurke@larc.nasa.gov](mailto:k.a.kurke@larc.nasa.gov) ;  
[lawrence.watson@gsfc.nasa.gov](mailto:lawrence.watson@gsfc.nasa.gov) ; Moore, Rita ; Paul Pastorek ; [rstephen@hq.nasa.gov](mailto:rstephen@hq.nasa.gov) ;  
[smauldin@mail.arc.nasa.gov](mailto:smauldin@mail.arc.nasa.gov) ; Stennis Counsel Office ; [Timothy S. Howell@hq.nasa.gov](mailto:Timothy S. Howell@hq.nasa.gov) ;  
[William.a.hicks@msfc.nasa.gov](mailto:William.a.hicks@msfc.nasa.gov)

**Sent:** Sunday, February 02, 2003 5:23 PM

**Subject:** FW: Aviation Weekly

for scholarly research only..

Aviation Week & Space Technology

Structural, Systems Integrity Focus Of Shuttle Probe  
By William Scott

**AVIATION**  
**WEEK**  
*technology*

Investigators probing the loss of space shuttle Columbia on Feb. 1 at about 9 a.m. EST during reentry will probably focus on structural- and systems-integrity.

Data sent via telemetry from the orbiter are being scrutinized for clues that could explain the vehicle's high-altitude break-up.



"We'll be poring over that data 24 hours a day for the foreseeable future," said Ron Dittmore, NASA's space shuttle program manager.

Although details are still slowly emerging from NASA, it appears that both voice and telemetry signals were lost shortly after Columbia emerged from the "blackout" portion of the reentry. Milt Heflin, NASA's Chief Flight Director, said "all vehicle data" were lost when Columbia was at 207,135 ft. altitude and Mach 18.3.

At a mid-afternoon press briefing, Heflin outlined a sequence of sensor readings and the loss of those readings:

- 8:53 a.m. EST - Lost left wing inboard and outboard hydraulic temperature sensors.
- 8:56 a.m. EST - Left main tire and brake line temperatures increasing.
- 8:58 a.m. EST - "Bondline" temperatures from sensors in the vehicle structure were lost. Three of these were on the left wing's inboard and outboard elevons.
- 8:59 a.m. EST - Left main gear tire temperatures and pressures were lost; these involved eight separate sensor measurements. At about this time, a tire pressure alert was displayed to the shuttle crew, and was apparently acknowledged verbally. This was believed to be the crew's last transmission.

U.S. officials identified several primary areas for investigators' initial focus:

- The trajectory flown by the shuttle as it entered the upper atmosphere. A too-steep approach could cause excessive heating of the vehicle's structure, which could lead to its failure.
- Integrity of the orbiter's structure throughout the reentry.
- The flight controls, including both the reaction control system (RCS) small thrusters that let astronauts fly the orbiter in space -- and aerodynamic surfaces, such as elevons on the aft edge of the wing, which control the vehicle within the atmosphere.
- Possible damage to the thermal protection system (TPS), the white and black tiles that protect the vehicle from excessive heat. During Columbia's liftoff, a piece of insulation from the external fuel tank fell off and hit the orbiter, apparently on the leading edge of the left wing. Whether this impact significantly damaged protective tiles or not, and had any effect on the shuttle orbiter's ultimate breakup during reentry, is being studied.

"We spent a goodly amount of time reviewing" film of the insulation falling off, "and then analyzing" it to see "would there be any consequences," Dittmore told reporters. "It was judged that that event did not represent a safety concern. As we look at that now in hindsight, and certainly we have, all the indications were on the left wing. We can't discount that there might be a connection, but we can't rush to judgment on it."

Information from several Defense Dept. space-monitoring facilities will also be key to the investigation. Infrared sensors on U.S. Defense Support Program (DSP) satellites are believed

to have captured data that could help NASA determine what was happening to Columbia during reentry. Officials at the North American Aerospace Defense Command (NORAD) said they are supporting NASA, but declined to comment on specifics.

NORAD provides missile warning and space-object tracking primarily for defense purposes, but its Space Control Center in Cheyenne Mountain, Colo., also monitors shuttle launches and on-orbit operations. Using a number of space surveillance systems, NORAD, Air Force Space Command and U.S. Strategic Command provide debris-avoidance information to NASA when the shuttle is in space.

Reply-To: "Kathy Ann Kurke" <k.a.kurke@larc.nasa.gov>  
From: "Kathy Ann Kurke" <k.a.kurke@larc.nasa.gov>  
To: "Shawn Gallagher" <S.T.GALLAGHER@larc.nasa.gov>  
Cc: "Karen Smith" <K.L.S.SMITH@larc.nasa.gov>,  
"Bridgette M Singleton" <b.m.singleton@larc.nasa.gov>,  
"Pete Polen" <C.A.POLEN@larc.nasa.gov>,  
"Kevin Love" <K.E.LOVE@larc.nasa.gov>,  
"Linda Blackburn" <L.B.BLACKBURN@larc.nasa.gov>  
Subject: You do not need to come back  
Date: Sun, 2 Feb 2003 20:51:24 -0500  
X-Mailer: Microsoft Outlook Express 6.00.2720.3000

Shawn -

Tonight's telecon with Paul was primarily geared toward giving us an update on what was going on and seeking expertise on a variety of issues. Obviously the folks at KSC and JSC - and to a lesser extent, Stennis, will be the busiest. Of course HQ will also be swamped. The real bulk of the legal work will come down the road.

Bill Sikora will serve as legal advisor to one of the investigation teams. The rest of us are sort of on stand-by to help.

The first thing we will most likely face is a large influx of FOIA requests. All FOIA requests are supposed to get legal review before they go out.

We will expect to get lots of claims. I don't know how many LaRC will receive, if any.

There are already 100s of folks alleging injury from the debris. Some are from burns. I guess it is not obvious to people that something that fell out of the sky at that speed would be VERY hot.

We will have legal update phone calls every day at 5:00 PM for the time being. All Chief Counsels and the AGCs will participate.

Pete and my trip has been called off. So I will be at the office on Monday and for the next few days if things pick up at the office. Everyone else is scheduled to be in town, I think.

So... enjoy the rest of MIP. Check in periodically and I will tell you what I know. I will have a staff meeting set up sometime on Monday to discuss this with the staff. If you want to participate in it - get with Karen or Bridgette to try to coordinate it with your schedule in mind if possible.

Kathy

Kathy

Reply-To: "Kathy Ann Kurke" <k.a.kurke@larc.nasa.gov>  
From: "Kathy Ann Kurke" <k.a.kurke@larc.nasa.gov>  
To: "Tom McMurry" <w.t.mcmurry@larc.nasa.gov>,  
"Shawn Gallagher" <S.T.GALLAGHER@larc.nasa.gov>,  
"Sharon Seward" <s.s.seward@larc.nasa.gov>,  
"Pete Polen" <C.A.POLEN@larc.nasa.gov>,  
"MICHAEL MARK I" <M.I.MARK@larc.nasa.gov>,  
"Kevin Love" <K.E.LOVE@larc.nasa.gov>,  
"Ken Wilson" <K.G.WILSON@larc.nasa.gov>,  
"Ken Goetzke" <K.H.GOETZKE@larc.nasa.gov>,  
"Karen Smith" <K.L.S.SMITH@larc.nasa.gov>,  
"Karen Reilly" <K.M.REILLEY@larc.nasa.gov>,  
"Jon Arena" <J.A.ARENA@larc.nasa.gov>,  
"Dawn Drabeck" <d.s.drabeck@larc.nasa.gov>,  
"Bridgette M Singleton" <b.m.singleton@larc.nasa.gov>,  
"Linda Blackburn" <L.B.BLACKBURN@larc.nasa.gov>  
Subject: Fw: NASA MEMORIAL SERVICE SCHEDULED AT JOHNSON SPACE CENTER  
Date: Sun, 2 Feb 2003 20:59:44 -0500  
X-Mailer: Microsoft Outlook Express 6.00.2720.3000

FYI

----- Original Message -----

From: "WINCHELL, MICHAEL G., JD (MIKE) (JSC-AL) (NASA)"  
<michael.g.winchell@nasa.gov>  
To: <bruce.anderson-1@ksc.nasa.gov>; <david.samuels@mail.dfrc.nasa.gov>;  
<dforbes@hq.nasa.gov>; <dwojnaro@hq.nasa.gov>; <jmannix@hq.nasa.gov>;  
<john.w.sikora@larc.nasa.gov>; <jsteptoe@hq.nasa.gov>;  
<k.a.kurke@larc.nasa.gov>; <lawrence.watson@gssc.nasa.gov>; "Moore, Rita"  
<rita.moore@hq.nasa.gov>; "Paul Pastorek" <ppastore@hq.nasa.gov>;  
<rstephen@hq.nasa.gov>; <smauldin@mail.arc.nasa.gov>; "Stennis Counsel  
Office" <ssc.legal.office@ssc.nasa.gov>; <Timothy\_S.\_Howell@hq.nasa.gov>;  
<William.a.hicks@msfc.nasa.gov>  
Sent: Sunday, February 02, 2003 6:12 PM  
Subject: FW: NASA MEMORIAL SERVICE SCHEDULED AT JOHNSON SPACE CENTER

>

>

> -----Original Message-----

> From: NASANews@hq.nasa.gov [<mailto:NASANews@hq.nasa.gov>]

> Sent: Sunday, February 02, 2003 3:41 PM

> To: undisclosed-recipients

> Subject: NASA MEMORIAL SERVICE SCHEDULED AT JOHNSON SPACE CENTER

>

>

> Glenn Mahone/Bob Jacobs

> Headquarters, Washington February 2, 2003

> (Phone: 202/358-1898/1600)

>

- > Eileen Hawley
- > Johnson Space Center, Houston
- > (Phone: 281/483-5111)
- >
- > RELEASE: 03-37
- >
- > NASA MEMORIAL SERVICE SCHEDULED AT JOHNSON SPACE CENTER
- >
- > The President and Mrs. George W. Bush will join NASA Administrator Sean O'Keefe Tuesday afternoon in paying tribute to the brave heroes of the Space Shuttle Columbia crew during a special memorial service at the NASA Johnson Space Center in Houston.
- >
- > The ceremony to honor NASA astronauts Rick Husband, William McCool, Michael Anderson, Kalpana Chawla, David Brown, Laurel Clark, and Israeli astronaut Ilan Ramon is scheduled to begin at 12:45 p.m. EST in the Central Mall area behind Building One. Gates are scheduled to open at 10 a.m.
- >
- > This is a private ceremony for family members, friends, and invited guests, along with NASA employees and contractors. The service will be carried live on NASA Television and available on the Internet at [www.nasa.gov](http://www.nasa.gov).
- >
- > Media access to the memorial service will be restricted with television and still photography access provided on a pool basis.
- >
- > NASA Television is available on AMC-2, transponder 9C, C-Band, located at 85 degrees West longitude. The frequency is 3880.0 MHz. Polarization is vertical and audio is monaural at 6.8 MHz.
- >
- > Additional information about the STS-107 crew and the Space Shuttle Columbia is available on the Internet at <http://spaceflight.nasa.gov>.
- >
- > -end-
- >
- >
- >
- >
- > \* \* \*
- >
- > NASA press releases and other information are available automatically by sending an Internet electronic mail message to [domo@hq.nasa.gov](mailto:domo@hq.nasa.gov).

- > In the body of the message (not the subject line) users should type
- > the words "subscribe press-release" (no quotes). The system will
- > reply with a confirmation via E-mail of each subscription. A second
- > automatic message will include additional information on the service.
- > NASA releases also are available via CompuServe using the command
- > GO NASA. To unsubscribe from this mailing list, address an E-mail
- > message to domo@hq.nasa.gov, leave the subject blank, and type only
- > "unsubscribe press-release" (no quotes) in the body of the message.
- >
- >

X-Sender: k.l.s.smith@express.larc.nasa.gov  
X-Mailer: QUALCOMM Windows Eudora Version 5.0.2  
Date: Mon, 03 Feb 2003 15:21:43 -0500  
To: D.S.DRABECK@larc.nasa.gov, S.T.GALLAGHER@larc.nasa.gov,  
K.A.KURKE@larc.nasa.gov, K.E.LOVE@larc.nasa.gov,  
C.A.POLEN@larc.nasa.gov, K.M.REILLEY@larc.nasa.gov,  
K.G.WILSON@larc.nasa.gov, B.M.SINGLETON@larc.nasa.gov,  
K.H.GOETZKE@larc.nasa.gov, M.I.MARK@larc.nasa.gov,  
J.A.Arena@larc.nasa.gov, W.T.Mcmurry@larc.nasa.gov,  
S.S.SEWARD@larc.nasa.gov  
From: "Karen L. Smith" <k.l.s.smith@larc.nasa.gov>  
Subject: Fwd: STS-107 Memorial Service

X-Sender: m.pitts@express.larc.nasa.gov  
Date: Mon, 3 Feb 2003 14:25:51 -0500  
To: title=secretary@larc.nasa.gov  
From: Margarette Pitts <m.pitts@larc.nasa.gov>  
Subject: STS-107 Memorial Service  
Date: Mon, 3 Feb 2003 14:25:59 -0500 (EST)

Please forward the following information to the employees in your organization:

Langley civil service and contractor employees are invited to participate in a memorial service for the STS-107 crew being held at the Johnson Space Center tomorrow. Speakers will include President Bush and Administrator O'Keefe.

The memorial will be broadcast via NASA TV and be held in the Reid Conference Center.

Employees are asked to be in place by 12:50 p.m. Associate Director Douglas Dwoyer will make opening remarks on behalf of Acting Director Freeman. The service is expected to conclude about 1:30.

\*\*\*\*\*

Margarette Pitts  
Office of External Affairs  
Building 1219, Room 304  
Mail Stop 115  
NASA Langley Research Center  
Hampton, VA 23681-2199  
757-864-6124 - Phone  
757-864-6333 - Fax

-----  
Karen L. Smith k.l.s.smith@larc.nasa.gov  
Legal Secretary Phone: (757) 864-3220  
Office of the Chief Counsel Fax: (757) 864-8298  
Mail Stop 141  
NASA Langley Research Center

X-Sender: k.a.kurke@express.larc.nasa.gov  
X-Mailer: QUALCOMM Windows Eudora Version 5.0.2  
Date: Mon, 03 Feb 2003 17:49:19 -0500  
To: w.t.mcmurry@larc.nasa.gov, J.A.ARENA@larc.nasa.gov,  
d.s.drabeck@larc.nasa.gov  
From: Kathy Ann Kurke <k.a.kurke@larc.nasa.gov>  
Subject: Fwd: Re: FOIA legal team  
Cc: K.E.LOVE@larc.nasa.gov, C.A.POLEN@larc.nasa.gov,  
S.T.GALLAGHER@larc.nasa.gov, K.L.S.SMITH@larc.nasa.gov,  
B.M.SINGLETON@larc.nasa.gov

Date: Mon, 03 Feb 2003 17:44:07 -0500  
To: Jay Steptoe <jsteptoe@hq.nasa.gov>  
From: Kathy Ann Kurke <k.a.kurke@larc.nasa.gov>  
Subject: Re: FOIA legal team  
Cc: Bill Bierbower

The FOIA attorney from LaRC will be Tom McMurry. He can be backed up by Jon Arena and our paralegal, Dawn Drabeck, if needed.  
I would also like to sit in on the telecon. Thanks  
Kathy

At 04:44 PM 2/3/2003 -0500, you wrote:

Following the telecon discussion last night, Paul and Bob want to establish a NASA legal team to address FOIA issues arising from the Columbia accident. The Headquarters attorneys on the team will be David Gayle/GK, Guy Miller/GP, Dan Thomas/GG, and Bill Bierbower/GS as lead. Bob asked me to request that each Chief Counsel designate an attorney for this team so that we can work FOIA issues on coordinated basis NASA-wide. Please notify us of the designated attorney for your office by tomorrow morning, if possible, so we can get this team up and running (cc Bill Bierbower). Bob, Laura and I will participate in a kick-off meeting, later this week, and any Chief Counsel would be very welcome to join.

It's my understanding that the FOIA legal team will help support a larger effort by an HQ team being established today to coordinate NASA responses to "questions or comments from the external community [to ensure they are] timely, accurate, consistent and properly coordinated." This would include all inquiries, requests, etc. from Congress, the media and the public. That team will be led by Michael Greenfield, Associate Deputy Administrator for Technical Programs and includes Bob Stephens, P/Trish Pingra; L/ Hellen Rothman; B /Doug Comstock; M/Angela Diaz and M/Bobbie Watkins; A/Gary Martin; and Q/ Bill Bihner. Code I will also be represented on this team.

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Jay Steptoe

Tel: 202.358.2432

Fax: 202.358.4355

**Kathy Ann Kurke**  
**Chief Counsel**  
**NASA Langley Research Center**

---

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NASA Langley Research Center,  
Hampton, VA 23681-0001

E- mail: [k.a.kurke@larc.nasa.gov](mailto:k.a.kurke@larc.nasa.gov)  
Phone: (757) 864-3221  
FAX: (757) 864-8296

**Kathy Ann Kurke**  
**Chief Counsel**  
**NASA Langley Research Center**

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Hampton, VA 23681-0001

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Phone: (757) 864-3221  
FAX: (757) 864-8296

X-Sender: k.a.kurke@express.larc.nasa.gov  
X-Mailer: QUALCOMM Windows Eudora Version 5.0.2  
Date: Mon, 03 Feb 2003 19:07:08 -0500  
To: K.E.LOVE@larc.nasa.gov, C.A.POLEN@larc.nasa.gov,  
S.T.GALLAGHER@larc.nasa.gov, K.M.REILLEY@larc.nasa.gov,  
K.G.WILSON@larc.nasa.gov, K.H.GOETZKE@larc.nasa.gov,  
M.I.MARK@larc.nasa.gov, J.A.ARENA@larc.nasa.gov,  
S.S.SEWARD@larc.nasa.gov, w.t.mcmurry@larc.nasa.gov,  
L.B.BLACKBURN@larc.nasa.gov  
From: Kathy Ann Kurke <k.a.kurke@larc.nasa.gov>  
Subject: Fwd: FW: Space Shuttle Children's Fund - Ready to Help

FYI

From: "WINCHELL, MICHAEL G., JD (MIKE) (JSC-AL) (NASA)"  
<michael.g.winchell@nasa.gov>  
To: bruce.anderson-1@ksc.nasa.gov, david.samuels@mail.dfrc.nasa.gov,  
dforbes@hq.nasa.gov, dwojnaro@hq.nasa.gov, jmannix@hq.nasa.gov,  
john.w.sikora@larc.nasa.gov, jsteptoe@hq.nasa.gov,  
k.a.kurke@larc.nasa.gov, lawrence.watson@gssc.nasa.gov,  
"Moore, Rita"  
<rita.moore@hq.nasa.gov>,  
Paul Pastorek <ppastore@hq.nasa.gov>, rstephen@hq.nasa.gov,  
smauldin@mail.arc.nasa.gov,  
Stennis Counsel Office  
<ssc.legal.office@ssc.nasa.gov>,  
Timothy\_S\_Howell@hq.nasa.gov, William.a.hicks@msfc.nasa.gov  
Subject: FW: Space Shuttle Children's Fund - Ready to Help  
Date: Mon, 3 Feb 2003 16:20:54 -0600  
X-Mailer: Internet Mail Service (5.5.2653.19)

This is what Bob S was talking about. Might be handy for you to know that they are apparently re-establishing this. R/MikeW

-----Original Message-----

From: [REDACTED]  
Sent: Saturday, February 01, 2003 7:31 PM  
To: WINCHELL, MICHAEL G., JD (MIKE) (JSC-AL) (NASA)  
Cc: [REDACTED]  
Subject: Space Shuttle Children's Fund - Ready to Help

Dear Mr. Winchell,

At the suggestion of Robert Tepfer, with whom I spoke today, I wanted to inform you about the Space Shuttle Children's Trust Fund, a non-profit organization already in place and ready to help the children and families of the brave astronauts who lost their lives

today.

The Space Shuttle Children's Trust Fund was founded on the day after the Space Shuttle Challenger tragedy in 1986, with the full support of the National Aeronautics and Space Administration (NASA). The Fund was established as a non-profit, tax exempt foundation to provide for the health, education, and support of the children of the astronauts who perished in the Challenger tragedy and of astronauts who might perish in the future while involved actively in participating in space exploration and travel conducted under the auspices of NASA. Since 1986, the Fund has served as a provider of health, education, and related support for these children, almost all of whom are now college graduates. The directors of the Fund wish to express their sorrow at today's Space Shuttle Columbia tragedy and their readiness to help the families and children of those brave astronauts who perished exploring the frontiers of space for the benefit of all humankind.

The Fund will hold a Board of Directors meeting on Monday at 11 a.m. in Washington, DC. Please feel free to contact me on my cell phone at (703) 909-3404 or at work at (202) 879-3794 if you have any questions. As someone who personally worked at NASA HQ in the 1990s, I wish to express how sorry we all are at today's tragedy.

Sincerely,



---

Do you Yahoo!?  
Yahoo! Mail Plus - Powerful. Affordable. Sign up now.  
<http://mailplus.yahoo.com>

**Kathy Ann Kurke**  
**Chief Counsel**  
**NASA Langley Research Center**

---

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M.S. 141, 9A Langley Blvd  
NASA Langley Research Center,  
Hampton, VA 23681-0001

E- mail: [k.a.kurke@larc.nasa.gov](mailto:k.a.kurke@larc.nasa.gov)  
Phone: (757) 864-3221  
FAX: (757) 864-8296

From: <atlarc+help@larc.nasa.gov>  
Date: Tue, 04 Feb 2003 02:29:53 +0000  
Subject: @LaRC Today Headlines  
To: atlarc+owner@larc.nasa.gov  
Date: Tue, 4 Feb 2003 02:33:32 -0500 (EST)

February 4, 2003 -- @LaRC Today -- <http://atlarc.larc.nasa.gov>

\*\*\*\*\* TODAY @LaRC HEADLINES \*\*\*\*\*

PLEASE NOTE: These articles reflect only those that are new today. Please see the @LaRC web site (<http://atlarc.larc.nasa.gov>) for the rest of today's articles.

\*\*\* SECURITY \*\*\*

Monthly Foreign Travel Briefing

Today from 1:30 - 2:30 pm, the Security Office will conduct the monthly Foreign Travel Briefing at the Pearl Young Theater. Center employees traveling...

[http://atlarc.larc.nasa.gov/display\\_article.cfm?id=6184276](http://atlarc.larc.nasa.gov/display_article.cfm?id=6184276)

\*\*\* ENVIRONMENT \*\*\*

February 2003 Environmental Newsletter Announcement

The February 2003 issue is now available at the following website: Environmental Insight Newsletter This issue's titles: Sustainability How to Avoid F...

[http://atlarc.larc.nasa.gov/display\\_article.cfm?id=6218695](http://atlarc.larc.nasa.gov/display_article.cfm?id=6218695)

\*\*\* POLICY/PROCEDURES \*\*\*

LMS-CP-0012, Preparation and Processing of the NASA Form 1167 for Foreign Travel, is available for comment

LMS-CP-0012, Preparation and Processing of the NASA Form 1167 for Foreign Travel, is currently under modification and can be accessed through the foll...

[http://atlarc.larc.nasa.gov/display\\_article.cfm?id=6223161](http://atlarc.larc.nasa.gov/display_article.cfm?id=6223161)

Notification of Updates to Langley Forms

Per requirements stated in LMS-CP-5907, 16 forms were revised and 2 forms were released during the period of 01/14/03 through 01/31/03. A detailed lis...

[http://atlarc.larc.nasa.gov/display\\_article.cfm?id=6231438](http://atlarc.larc.nasa.gov/display_article.cfm?id=6231438)

\*\*\* HUMAN RESOURCES \*\*\*

Voluntary Leave Transfer Program (VLTP) Approved Recipients

The following employees have been approved to participate in the VLTP: Angela M. Blayton Carol L. Ficklen Linda Jones Goodwin Timmy T. Kariya Sandra C...

[http://atlarc.larc.nasa.gov/display\\_article.cfm?id=6229650](http://atlarc.larc.nasa.gov/display_article.cfm?id=6229650)

\*\*\* SEMINARS/COLLOQUIUMS \*\*\*

America and The First Century of Flight: Echoes and Resonances (LaRC Colloquium)

The February 2003 Langley Colloquium "America and The First Century of Flight: Echoes and Resonances", will take place today February 4, 2003, at 2 p....

[http://atlarc.larc.nasa.gov/display\\_article.cfm?id=6088621](http://atlarc.larc.nasa.gov/display_article.cfm?id=6088621)

\*\*\* AEROSPACE NEWS @ NOON \*\*\*

**STS-107 Crew Memorial TODAY**

Langley civil service and contractor employees are invited to participate in a memorial service for the STS-107 crew being held at the Johnson Space C...

[http://atlarc.larc.nasa.gov/display\\_article.cfm?id=6227760](http://atlarc.larc.nasa.gov/display_article.cfm?id=6227760)

**MESSAGE TO LANGLEY EMPLOYEES**

The entire Langley family is grieving with our colleagues across the Agency. We are a close knit group and the loss of the crew of Space Shuttle Colu...

[http://atlarc.larc.nasa.gov/display\\_article.cfm?id=6232845](http://atlarc.larc.nasa.gov/display_article.cfm?id=6232845)

**February Colloquium Rescheduled to WEDNESDAY**

The February Colloquium has been rescheduled from Tuesday, February 4, to Wednesday, February 5, at 10:00 a.m. in the H. J. E. Reid Conference Center...

[http://atlarc.larc.nasa.gov/display\\_article.cfm?id=6233830](http://atlarc.larc.nasa.gov/display_article.cfm?id=6233830)

**\*\*\* INFORMATION TECHNOLOGY \*\*\***

**IFMP: Core Financial Rolls Into The New Year**

The Core Financial Project ended 2002 with the successful completion of a key milestone for the project at LaRC. Conference Room Pilot, which complete...

[http://atlarc.larc.nasa.gov/display\\_article.cfm?id=6211268](http://atlarc.larc.nasa.gov/display_article.cfm?id=6211268)

OneNASA email addresses ..... They are coming! But not yet!

The deployment of the OneNASA email addresses to users has been delayed for about two weeks due to some inaccuracies in the database used to assign t...

[http://atlarc.larc.nasa.gov/display\\_article.cfm?id=6225896](http://atlarc.larc.nasa.gov/display_article.cfm?id=6225896)

**\*\*\*\*\* @LaRC HOUSEKEEPING \*\*\*\*\***

Subscription Information

Until further notice the @LaRC Newsletter is a mandatory e-mail for all Center staff. We anticipate that in the future you can add and remove yourself at will. Please stay tuned for this announcement.

**\*\*\*\*\* FEEDBACK \*\*\*\*\***

We love to hear your thoughts and suggestions on how we can make @LaRC and The Daily @LaRC newsletter even better. Provide us with your feedback on what you want to see in the newsletter using the @LaRC feedback form at <http://atlarc.larc.nasa.gov/feedback/feedback.cfm>

Thank you and have a wonderful day,

@LaRC Today staff

X-Sender: k.a.kurke@express.larc.nasa.gov  
X-Mailer: QUALCOMM Windows Eudora Version 5.0.2  
Date: Tue, 04 Feb 2003 08:13:40 -0500  
To: K.E.LOVE@larc.nasa.gov, C.A.POLEN@larc.nasa.gov, d.s.drabeck@larc.nasa.gov,  
K.L.S.SMITH@larc.nasa.gov, S.T.GALLAGHER@larc.nasa.gov,  
K.M.REILLEY@larc.nasa.gov, K.G.WILSON@larc.nasa.gov,  
B.M.SINGLETON@larc.nasa.gov, K.H.GOETZKE@larc.nasa.gov,  
M.I.MARK@larc.nasa.gov, w.t.mcmurry@larc.nasa.gov,  
S.S.SEWARD@larc.nasa.gov, J.A.ARENA@larc.nasa.gov  
From: Kathy Ann Kurke <k.a.kurke@larc.nasa.gov>  
Subject: Fwd: Re: SPACE SHUTTLE CHILDREN'S FUND

FYI  
Kathy

X-Sender: rstephen@mail.hq.nasa.gov  
X-Mailer: QUALCOMM Windows Eudora Version 4.3.2  
Date: Tue, 04 Feb 2003 07:57:52 -0500  
To: ken.human@ssc.nasa.gov, thowell@nmo.jpl.nasa.gov,  
mwinchel@ems.jsc.nasa.gov, william.a.hicks@msfc.nasa.gov,  
smauldin@mail.arc.nasa.gov, lawrence.watson@gssc.nasa.gov,  
k.a.kurke@larc.nasa.gov, john.w.sikora@lerc.nasa.gov,  
david.samuels@mail.dfrc.nasa.gov, bruce.anderson-1@ksc.nasa.gov  
From: Robert Stephens <rstephen@hq.nasa.gov>  
Subject: Fwd: Re: SPACE SHUTTLE CHILDREN'S FUND  
Cc: PPastore@hq.nasa.gov

FYI, and any action as appropriate.

From: PPastore@hq.nasa.gov  
Subject: Re: SPACE SHUTTLE CHILDREN'S FUND  
Date: Tue, 4 Feb 2003 07:54:41 -0500  
To: broan@hq.nasa.gov  
Cc: rstephens@hq.nasa.gov  
X-MIMETrack: Serialize by Router on bes1/HQ/NASA(Release 5.0.11 |July 24, 2002) at  
02/04/2003  
07:54:43 AM

Bernie,

I have concluded that we should not mention, promote or otherwise reference  
any charitable fund. It is a slippery slope to do otherwise.

Bob, please make sure that all Chiefs get this message.

Paul

**Kathy Ann Kurke  
Chief Counsel  
NASA Langley Research Center**

---

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NASA Langley Research Center,  
Hampton, VA 23681-0001

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Phone: (757) 864-3221  
FAX: (757) 864-8296

X-Sender: k.a.kurke@express.larc.nasa.gov  
X-Mailer: QUALCOMM Windows Eudora Version 5.0.2  
Date: Wed, 05 Feb 2003 13:09:10 -0500  
To: K.E.LOVE@larc.nasa.gov, S.T.GALLAGHER@larc.nasa.gov,  
K.M.REILLEY@larc.nasa.gov, C.A.POLEN@larc.nasa.gov,  
M.I.MARK@larc.nasa.gov, w.t.mcmurry@larc.nasa.gov,  
J.A.ARENA@larc.nasa.gov, w.t.mcmurry@larc.nasa.gov,  
K.M.REILLEY@larc.nasa.gov, J.A.ARENA@larc.nasa.gov  
From: Kathy Ann Kurke <k.a.kurke@larc.nasa.gov>  
Subject: Fwd: arrests and press conference

X-Sender: m.p.finneran@pop.larc.nasa.gov  
Date: Wed, 5 Feb 2003 12:58:58 -0500  
To: k.a.kurke@larc.nasa.gov  
From: "Michael P. Finneran" <m.p.finneran@larc.nasa.gov>  
Subject: Fwd: arrests and press conference

Interesting...

X-Authentication-Warning: spinoza.public.hq.nasa.gov: majordom set sender to owner-news-chiefs using -f  
X-Sender: rjacobs@mail.hq.nasa.gov  
Date: Wed, 05 Feb 2003 12:28:12 -0500  
To: News-Chiefs@hq.nasa.gov, PAO-Directors@hq.nasa.gov  
From: Robert Jacobs <rjacobs@hq.nasa.gov>  
Subject: Fwd: arrests and press conference  
Sender: owner-news-chiefs@lists.hq.nasa.gov

FYI... from the NASA IG.

Word is the local attorney general wants to make an example... but that the IG here will offer a 24 hour amnesty. If yo have material now... turn it in. Otherwise, if we catch you with it, you're in tourble.

But this will be the first arrest.

bj

X-Sender: pshawcro@mail.hq.nasa.gov  
X-Mailer: QUALCOMM Windows Eudora Version 4.3.2  
Date: Wed, 05 Feb 2003 11:43:26 -0500  
To: Bob Jacobs <rjacobs@mail.hq.nasa.gov>,  
Doc Mirelson <rmirelso@mail.hq.nasa.gov>  
From: Paul Shawcross <pshawcro@hq.nasa.gov>  
Subject: arrests and press conference

Bob, Doc -



Latest news is that there will be a press conference at 1 pm (2 pm Eastern) in Lufkin to announce 2 arrests for taking debris. NASA OIG is not the lead agency, but we will have some agents there, one of whom will mention the misuse of debris web page. Let me know if you need any more information.

- Paul

---

Paul Shawcross  
Executive Officer  
NASA Office of Inspector General  
Voice: (202) 358-2558  
Fax: (202) 358-2767  
paul.shawcross@hq.nasa.gov

--

Michael Finneran  
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Hampton, Va. 23681

(757) 864-6124 / fax 6333  
Cell phone: (757) 344-4611

<http://www.larc.nasa.gov>

**Kathy Ann Kurke  
Chief Counsel  
NASA Langley Research Center**

---

Office of Chief Counsel  
M.S. 141, 9A Langley Blvd  
NASA Langley Research Center,  
Hampton, VA 23681-0001

E- mail: [k.a.kurke @larc.nasa.gov](mailto:k.a.kurke@larc.nasa.gov)  
Phone: (757) 864-3221  
FAX: (757) 864-8296

From: "WINCHELL, MICHAEL G., JD (MIKE) (JSC-AL) (NASA)"  
<michael.g.winchell@nasa.gov>  
To: "'PPastore@hq.nasa.gov'" <PPastore@hq.nasa.gov>,  
"k.a.kurke@larc.nasa.gov" <k.a.kurke@larc.nasa.gov>,  
"rstephens@hq.nasa.gov" <rstephens@hq.nasa.gov>,  
"jsteptoe@hq.nasa.gov" <jsteptoe@hq.nasa.gov>,  
"sthompso@hq.nasa.gov"  
<sthompso@hq.nasa.gov>,  
"Lgiza@hq.nasa.gov" <Lgiza@hq.nasa.gov>,  
"Bruce.H.Anderson@nasa.gov" <Bruce.H.Anderson@nasa.gov>  
Subject: Re: Columbia  
Date: Sat, 1 Feb 2003 17:53:01 -0600  
X-Mailer: Internet Mail Service (5.5.2653.19)

I was so proud of our team; people poured in to try and help. My entire office was in by 9. I called Doug hendriksen at his house, he was at work trying to help. Thanks to Bruce and Doug for all they did today. I called HQ Jay and Bob were there, I thought we needed to get Don Schiller's help--he was there too.

Only under stress can you see strength. MikeW

From: "WINCHELL, MICHAEL G., JD (MIKE) (JSC-AL) (NASA)"  
<michael.g.winchell@nasa.gov>  
To: "'PPastore@hq.nasa.gov'" <PPastore@hq.nasa.gov>,  
"'k.a.kurke@larc.nasa.gov'" <k.a.kurke@larc.nasa.gov>,  
"'rstephens@hq.nasa.gov'" <rstephens@hq.nasa.gov>,  
"'jsteptoe@hq.nasa.gov'" <jsteptoe@hq.nasa.gov>,  
"'sthompso@hq.nasa.gov'"  
<sthompso@hq.nasa.gov>,  
"'Lgiza@hq.nasa.gov'" <Lgiza@hq.nasa.gov>,  
"'Bruce.H.Anderson@nasa.gov'" <Bruce.H.Anderson@nasa.gov>  
Subject: Re: Columbia  
Date: Sat, 1 Feb 2003 19:16:28 -0600  
X-Mailer: Internet Mail Service (5.5.2653.19)

One more example of how we came together to support our client:. When we were trying to work out the possible debris issue in Louisiana, Ken called. A very short time later the matter was done. Thanks Ken.

From: "WINCHELL, MICHAEL G., JD (MIKE) (JSC-AL) (NASA)"  
<michael.g.winchell@nasa.gov>  
To: "Kathy Ann Kurke" <k.a.kurke@larc.nasa.gov>  
Subject: RE: Aviation Weekly  
Date: Sun, 2 Feb 2003 17:11:28 -0600  
X-Mailer: Internet Mail Service (5.5.2653.19)

Thanks, they kept me overnight in the horse-pital Monday. I'm fine.

-----Original Message-----

**From:** Kathy Ann Kurke [mailto:k.a.kurke@larc.nasa.gov]  
**Sent:** Sunday, February 02, 2003 5:11 PM  
**To:** WINCHELL, MICHAEL G., JD (MIKE) (JSC-AL) (NASA)  
**Subject:** Re: Aviation Weekly

Thanks.

I can't believe the horrible things you are having to face. You sound so competent and professional even though you are going to be the center of a lot of difficult legal work for some time to come.

I sure hope that this test you have tomorrow is merely routine and not because you are facing something serious. As a friend - I just want to remind you to take care of yourself. Call on your friends and coworkers to help you if need be.

Kath

----- Original Message -----

**From:** WINCHELL, MICHAEL G., JD (MIKE) (JSC-AL) (NASA)  
**To:** [bruce.anderson-1@ksc.nasa.gov](mailto:bruce.anderson-1@ksc.nasa.gov) ; [david.samuels@mail.dfrc.nasa.gov](mailto:david.samuels@mail.dfrc.nasa.gov) ; [dforbes@hq.nasa.gov](mailto:dforbes@hq.nasa.gov) ; [dwojnaro@hq.nasa.gov](mailto:dwojnaro@hq.nasa.gov) ; [jmannix@hq.nasa.gov](mailto:jmannix@hq.nasa.gov) ; [john.w.sikora@lerc.nasa.gov](mailto:john.w.sikora@lerc.nasa.gov) ; [jstephoe@hq.nasa.gov](mailto:jstephoe@hq.nasa.gov) ; [k.a.kurke@larc.nasa.gov](mailto:k.a.kurke@larc.nasa.gov) ; [lawrence.watson@gsfc.nasa.gov](mailto:lawrence.watson@gsfc.nasa.gov) ; Moore, Rita ; Paul Pastorek ; [rstephen@hq.nasa.gov](mailto:rstephen@hq.nasa.gov) ; [smauldin@mail.arc.nasa.gov](mailto:smauldin@mail.arc.nasa.gov) ; Stennis Counsel Office ; [Timothy S. Howell@hq.nasa.gov](mailto:Timothy.S.Howell@hq.nasa.gov) ; [William.a.hicks@msfc.nasa.gov](mailto:William.a.hicks@msfc.nasa.gov)  
**Sent:** Sunday, February 02, 2003 5:23 PM  
**Subject:** FW: Aviation Weekly

for scholarly research only..

### Aviation Week & Space Technology

Structural, Systems Integrity Focus Of Shuttle Probe  
By William Scott



Investigators probing the loss of space shuttle Columbia on Feb. 1 at about 9 a.m. EST during reentry will probably focus on structural- and systems-integrity.

Data sent via telemetry from the orbiter are being scrutinized for clues that could explain the vehicle's high-altitude break-up.

"We'll be poring over that data 24 hours a day for the foreseeable future," said Ron Dittemor NASA's space shuttle program manager.

*Duf.*

*B-20*

Although details are still slowly emerging from NASA, it appears that both voice and telemetry signals were lost shortly after Columbia emerged from the "blackout" portion of the reentry. Mission Specialist Ellison S. S. S. Heflin, NASA's Chief Flight Director, said "all vehicle data" were lost when Columbia was at 207,135 ft. altitude and Mach 18.3.

At a mid-afternoon press briefing, Heflin outlined a sequence of sensor readings and the loss of those readings:

- 8:53 a.m. EST - Lost left wing inboard and outboard hydraulic temperature sensors.
- 8:56 a.m. EST - Left main tire and brake line temperatures increasing.
- 8:58 a.m. EST - "Bondline" temperatures from sensors in the vehicle structure were lost. Three of these were on the left wing's inboard and outboard elevons.
- 8:59 a.m. EST - Left main gear tire temperatures and pressures were lost; these involved eight separate sensor measurements. At about this time, a tire pressure alert was displayed to the shuttle crew, and was apparently acknowledged verbally. This was believed to be the crew's last transmission.

U.S. officials identified several primary areas for investigators' initial focus:

- The trajectory flown by the shuttle as it entered the upper atmosphere. A too-steep approach could cause excessive heating of the vehicle's structure, which could lead to its failure.
- Integrity of the orbiter's structure throughout the reentry.
- The flight controls, including both the reaction control system (RCS) small thrusters that let astronauts fly the orbiter in space -- and aerodynamic surfaces, such as elevons on the aft edge of the wing, which control the vehicle within the atmosphere.
- Possible damage to the thermal protection system (TPS), the white and black tiles that protect the vehicle from excessive heat. During Columbia's liftoff, a piece of insulation from the external fuel tank fell off and hit the orbiter, apparently on the leading edge of the left wing. Whether this impact significantly damaged protective tiles or not, and had any effect on the shuttle orbiter's ultimate breakup during reentry, is being studied.

"We spent a goodly amount of time reviewing" film of the insulation falling off, "and then analyzing" it to see "would there be any consequences," Dittmore told reporters. "It was judged that that event did not represent a safety concern. As we look at that now in hindsight and certainly we have, all the indications were on the left wing. We can't discount that there might be a connection, but we can't rush to judgment on it."

Information from several Defense Dept. space-monitoring facilities will also be key to the investigation. Infrared sensors on U.S. Defense Support Program (DSP) satellites are believed to have captured data that could help NASA determine what was happening to Columbia during reentry. Officials at the North American Aerospace Defense Command (NORAD) said they are supporting NASA, but declined to comment on specifics.

NORAD provides missile warning and space-object tracking primarily for defense purposes,

*Def* but its Space Control Center in Cheyenne Mountain, Colo., also monitors shuttle launches and on-orbit operations. Using a number of space surveillance systems, NORAD, Air Force Space Command and U.S. Strategic Command provide debris-avoidance information to NASA when the shuttle is in space.

From: "WINCHELL, MICHAEL G., JD (MIKE) (JSC-AL) (NASA)"  
<michael.g.winchell@nasa.gov>

To: bruce.anderson-1@ksc.nasa.gov, david.samuels@mail.dfrc.nasa.gov,  
dforbess@hq.nasa.gov, dwojnaro@hq.nasa.gov, jmannix@hq.nasa.gov,  
john.w.sikora@lerc.nasa.gov, jsteptoe@hq.nasa.gov,  
k.a.kurke@larc.nasa.gov, lawrence.watson@gsfc.nasa.gov,  
"Moore, Rita"  
<rita.moore@hq.nasa.gov>,  
Paul Pastorek <ppastore@hq.nasa.gov>, rstephen@hq.nasa.gov,  
smauldin@mail.arc.nasa.gov,  
Stennis Counsel Office  
<ssc.legal.office@ssc.nasa.gov>,  
Timothy\_S.\_Howell@hq.nasa.gov, William.a.hicks@msfc.nasa.gov

Subject: FW: NASA MEMORIAL SERVICE SCHEDULED AT JOHNSON SPACE CENTER

Date: Sun, 2 Feb 2003 17:12:41 -0600

X-Mailer: Internet Mail Service (5.5.2653.19)

-----Original Message-----

From: NASANews@hq.nasa.gov [mailto:[NASANews@hq.nasa.gov](mailto:NASANews@hq.nasa.gov)]

Sent: Sunday, February 02, 2003 3:41 PM

To: undisclosed-recipients

Subject: NASA MEMORIAL SERVICE SCHEDULED AT JOHNSON SPACE CENTER

Glenn Mahone/Bob Jacobs  
Headquarters, Washington  
(Phone: 202/358-1898/1600)

February 2, 2003

Eileen Hawley  
Johnson Space Center, Houston  
(Phone: 281/483-5111)

RELEASE: 03-37

NASA MEMORIAL SERVICE SCHEDULED AT JOHNSON SPACE CENTER

The President and Mrs. George W. Bush will join NASA Administrator Sean O'Keefe Tuesday afternoon in paying tribute to the brave heroes of the Space

Shuttle Columbia crew during a special memorial service at the NASA Johnson Space Center in Houston.

The ceremony to honor NASA astronauts Rick Husband, William McCool, Michael Anderson, Kalpana Chawla, David Brown, Laurel Clark, and Israeli astronaut Ilan Ramon is scheduled to begin at 12:45 p.m. EST in the Central Mall area behind Building One. Gates are scheduled to open at 10 a.m.

This is a private ceremony for family members, friends, and invited guests, along with NASA employees and contractors. The service will be carried live on NASA Television and available on the Internet at [www.nasa.gov](http://www.nasa.gov).

Media access to the memorial service will be restricted with television and still photography access provided on a pool basis.

NASA Television is available on AMC-2, transponder 9C, C-Band, located at 85 degrees West longitude. The frequency is 3880.0 MHz. Polarization is vertical and audio is monaural at 6.8 MHz.

Additional information about the STS-107 crew and the Space Shuttle Columbia is available on the Internet at <http://spaceflight.nasa.gov>.

-end-

\* \* \*

NASA press releases and other information are available automatically by sending an Internet electronic mail message to [domo@hq.nasa.gov](mailto:domo@hq.nasa.gov). In the body of the message (not the subject line) users should type the words "subscribe press-release" (no quotes). The system will reply with a confirmation via E-mail of each subscription. A second automatic message will include additional information on the service. NASA releases also are available via CompuServe using the command GO NASA. To unsubscribe from this mailing list, address an E-mail message to [domo@hq.nasa.gov](mailto:domo@hq.nasa.gov), leave the subject blank, and type only "unsubscribe press-release" (no quotes) in the body of the message.

Dup.



User-Agent: Microsoft-Outlook-Express-Macintosh-Edition/5.02.2022

Date: Mon, 03 Feb 2003 17:34:13 +0800

Subject: Excellent piece on Astronaut Ilan Ramon

From: [REDACTED]

To: [REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
Kathy Kurke <k.a.kurke@larc.nasa.gov>  
[REDACTED]

This was written by Rabbi [REDACTED]. For you Rotarians, he was the young man who came to the Club 2 or 3 times (always during the holiday season) and was such an extraordinary speaker. He's now at a congregation in New Jersey.

-----  
From: "Rabbi [REDACTED]" <[REDACTED]>  
Date: Mon, 3 Feb 2003 15:59:13 -0500

Subject: Ilan Ramon

I have discovered what I like least about being the Rabbi here - lowering the flags. Twice now in the brief year and a half that I have been at Temple [REDACTED] I have walked over to the flag poles and lowered the flags. This year, having put up the Israeli flag in August, I was in tears while lowering that beautiful blue and white symbol of Israel and of the Jewish people.

Sunday and Monday this week were Rosh Hodesh (the new month) Adar. The Rabbis teach that as Adar enters, joy increases. This year Adar's entry was heralded by tragedy. As I watch memorial services and hear of the depressed mood in Israel, my joy has been greatly diminished these last few days.

All the astronauts on the Columbia were heroes tragically lost. Their bravery in ascending into the heaven offers a beacon of hope to a troubled world. Terror and war are brushed aside by the majesty of watching human beings leave behind this world. To watch that hopeful venture literally slam into the Earth is shattering.

For Jews and for Israel, this tragedy is as personal as it gets. Gen. Ilan Ramon (posthumously promoted from Colonel on Sunday, Feb 1) was the first Israeli astronaut. Aware of the symbolic value of his trip, Gen. Ramon took with him Jewish practice and Jewish history.

Gen. Ramon, a secular Jew, was so moved by the symbolic value of his ascent into the heavens that he decided to be an example of Jewish practice while in space. He insisted upon receiving Kosher rations and he was observant of Shabbat (the sabbath) while in space. To be a Jewish symbol meant to carry with him our sacred traditions. By his example he taught that Jewish practice is as relevant in the Space Age as it ever was. He taught that to go into space requires us to reach out towards heaven.

Israel is a beacon of hope for the Jewish people and Gen. Ramon found a way to symbolize Israel as the great hope of the Jewish people. ██████████ as a 14 year old boy in Thereisenstadt drew a beautiful painting that shows the Earth as if seen from the moon. In that hopeless place of death, this teenage boy found hope in imagination. Gen. Ramon honored those who perished in the Holocaust - and more importantly the hope that a young man could find even in the Hell that was Thereisenstadt - by bringing this picture with him into space. What a victory for the Jewish people to see a picture painted in the depths of despair made real as Ramon saw in fact the imagined vision of ██████████.

Israel was riveted by Columbia's flight. Israeli school children sent scientific experiments along with Gen. Ramon. Even kindergarteners were following the Columbia's mission, as Israeli writer Lisa Katz said:

Sixteen days ago, ██████████ [her 6 year old son] came home with the number 5:40 written on his hand. When I asked him what it was, he said his kindergarten teacher had written it on all the children's hands to remind them of the time when Ilan would be taking-off in the Space Shuttle that day. He explained to me how he was supposed to count (in English with his Israeli accent) "10, 9, 8, ...lift-off" so Ilan would know that all the Israeli children were with him in spirit as he left the earth...Just yesterday, on our way to kindergarten, ██████████ told me that if he worked really hard in school, then he could become an astronaut like Ilan.

In a country filled everyday with tragic news, Gen. Ramon's historic mission was a beacon of hope. That light too has been tragically extinguished.

Yet always there is hope. Gen. Ramon remains a hero even in death because he chose to give his life meaning. He died in the service of Israel, a country he had served with great honor and distinction since the Yom Kippur war. He died as an example of holiness by carrying Judaism with him into space. Most importantly, he died as a symbol of hope, carrying a painting from the depths of the Holocaust into the beauty of space.

May the memory of this righteous man, General Ilan Ramon, be for a blessing and an inspiration. May God provide comfort to those in mourning for all the astronauts. And may we again be blessed to see hope so magnificently triumph over despair as it has these last 16 days. Amen.

God's comfort to all in mourning,

Rabbi [REDACTED]

From: <PPastore@hq.nasa.gov>

Subject: Columbia

Date: Sat, 1 Feb 2003 18:43:55 -0500

To: k.a.kurke@larc.nasa.gov, michael.g.winchell@nasa.gov,  
rstephens@hq.nasa.gov, jsteptoe@hq.nasa.gov, sthompso@hq.nasa.gov,  
Lgiza@hq.nasa.gov, Bruce.H.Anderson@nasa.gov

X-MIMETrack: Serialize by Router on bes1/HQ/NASA(Release 5.0.11 |July 24, 2002) at  
02/01/2003  
06:44:26 PM

It's been a difficult day, but I continue to be proud of NASA, especially in light of the way it has conducted itself, and its employees, through this very tragic episode.

I appreciate all of you who pitched in and all who offered support. It is gratifying.

Let's stick together and do our best to execute our tasks as they are assigned.

I will be in touch later.

Paul

X-Sender: rstephen@mail.hq.nasa.gov  
X-Mailer: QUALCOMM Windows Eudora Version 4.3.2  
Date: Sat, 01 Feb 2003 15:54:06 -0500  
To: "Kathy Ann Kurke" <k.a.kurke@larc.nasa.gov>  
From: Robert Stephens <rstephen@hq.nasa.gov>  
Subject: Re: The Columbia Disaster - and our offer to assist you.

Thanks. We're O.K. right now.

As to the case, I'll get back to you, but I think that will get pushed back.

At 03:14 PM 2/1/2003 -0500, you wrote:

Paul and Bob:

My staff and I stand ready to assist you all in any way we can - in support of whatever legal issues arise out of this horrible disaster. I have received calls from staff attorneys offering to serve on a claims team - or whatever you need.

I can be reached at home at [REDACTED]; cell at [REDACTED] or the office at 757-864-3221.

I will also await your instructions regarding the EEO case. I would assume that will be put on hold. Yes?

I know this is going to be a real test of the NASA leadership - (and, of course, to the entire NASA Family). As I said before, LaRC OCC is anxious to assist as you meet those challenges.

Kathy

Duf.

X-Sender: a.h.phillips@pop.larc.nasa.gov  
 Date: Mon, 3 Feb 2003 10:57:59 -0500  
 To: "KUMAR, AJAY" <A.KUMAR@larc.nasa.gov>,  
 "SHUART, MARK J" <M.J.SHUART@larc.nasa.gov>,  
 "SAUNDERS, MARK P" <M.P.SAUNDERS@larc.nasa.gov>,  
 "LEE, CYNTHIA C" <C.C.LEE@larc.nasa.gov>,  
 "KURKE, KATHY A" <K.A.KURKE@larc.nasa.gov>,  
 "DWOYER, DOUGLAS L" <D.L.DWOYER@larc.nasa.gov>,  
 "Delma C. Freeman, Jr." <d.c.freeman@larc.nasa.gov>  
 From: "Alan H. Phillips" <a.h.phillips@larc.nasa.gov>  
 Subject: Information from this mornings meeting

Enclosed are two documents that may be of value to you.

- 1) NTSB/NASA Briefing on Mishap Investigation Process
- 2) Press Release with Columbia Accident Investigation Board (External Team?) named

Alan



Mishap+Investigation+Process+NT.ppt



03-034.txt

--

\*\*\*\*\*

Alan H. Phillips  
 Director, Office of Safety and Mission Assurance  
 NASA Langley Research Center  
 5A Hunsaker Loop  
 Building 1162, Room 112C  
 Mail Stop 421  
 Hampton, VA 23681

(757)864-3361 Voice

(757)864-6327 Fax

\*\*\*\*\*

X-Authentication-Warning: spinoza.public.hq.nasa.gov: majordom set sender to owner-chiefcounsel using -f

X-Sender: jstep toe@mail.hq.nasa.gov

X-Mailer: QUALCOMM Windows Eudora Version 4.3.2

Date: Mon, 03 Feb 2003 16:44:19 -0500

To: chiefcounsel@lists.hq.nasa.gov

From: Jay Steptoe <jstep toe@hq.nasa.gov>

Subject: FOIA legal team

Cc: ppastore@hq.nasa.gov, rstephen@hq.nasa.gov, jmannix@hq.nasa.gov, lgiza@hq.nasa.gov, Sumara Thompson-King <sthompso@hq.nasa.gov>, wbierbow@hq.nasa.gov

Sender: owner-chiefcounsel@lists.hq.nasa.gov

Following the telecon discussion last night, Paul and Bob want to establish a NASA legal team to address FOIA issues arising from the Columbia accident. The Headquarters attorneys on the team will be David Gayle/GK, Guy Miller/GP, Dan Thomas/GG, and Bill Bierbower/GS as lead. Bob asked me to request that each Chief Counsel designate an attorney for this team so that we can work FOIA issues on coordinated basis NASA-wide. Please notify us of the designated attorney for your office by tomorrow morning, if possible, so we can get this team up and running (cc Bill Bierbower). Bob, Laura and I will participate in a kick-off meeting, later this week, and any Chief Counsel would be very welcome to join.

It's my understanding that the FOIA legal team will help support a larger effort by an HQ team being established today to coordinate NASA responses to "questions or comments from the external community [to ensure they are] timely, accurate, consistent and properly coordinated." This would include all inquiries, requests, etc. from Congress, the media and the public. That team will be led by Michael Greenfield, Associate Deputy Administrator for Technical Programs and includes Bob Stephens, P/Trish Pingra; L/Hellen Rothman; B/Doug Comstock; M/Angela Diaz and M/Bobbie Watkins; A/Gary Martin; and Q/ Bill Bihner. Code I will also be represented on this team.

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Jay Steptoe

Tel: 202.358.2432

Fax: 202.358.4355

To: OCC - Attorneys, Linda Blackburn  
From: Kathy Ann Kurke <k.a.kurke@larc.nasa.gov>  
Subject: Fwd: FW: Space Shuttle Children's Fund - Ready to Help  
Cc:  
Bcc:  
Attached:

FYI

From: "WINCHELL, MICHAEL G., JD (MIKE) (JSC-AL) (NASA)"  
<michael.g.winchell@nasa.gov>  
To: bruce.anderson-1@ksc.nasa.gov, david.samuels@mail.dfrc.nasa.gov,  
dforbes@hq.nasa.gov, dwojnaro@hq.nasa.gov, jmannix@hq.nasa.gov,  
john.w.sikora@lerc.nasa.gov, jsteptoe@hq.nasa.gov,  
k.a.kurke@larc.nasa.gov, lawrence.watson@gsfc.nasa.gov,  
"Moore, Rita"  
<rita.moore@hq.nasa.gov>,  
Paul Pastorek <ppastore@hq.nasa.gov>, rstephen@hq.nasa.gov,  
smauldin@mail.arc.nasa.gov,  
Stennis Counsel Office  
<ssc.legal.office@ssc.nasa.gov>,  
Timothy\_S\_Howell@hq.nasa.gov, William.a.hicks@msfc.nasa.gov  
Subject: FW: Space Shuttle Children's Fund - Ready to Help  
Date: Mon, 3 Feb 2003 16:20:54 -0600  
X-Mailer: Internet Mail Service (5.5.2653.19)

This is what Bob S was talking about. Might be handy for you to know that they are apparently re-establishing this. R/MikeW

-----Original Message-----

From: [REDACTED]  
Sent: Saturday, February 01, 2003 7:31 PM  
To: WINCHELL, MICHAEL G., JD (MIKE) (JSC-AL) (NASA)  
Cc: [REDACTED]  
Subject: Space Shuttle Children's Fund - Ready to Help

Dear Mr. Winchell,

At the suggestion of Robert Tepfer, with whom I spoke

Dup.

today, I wanted to inform you about the Space Shuttle Children's Trust Fund, a non-profit organization already in place and ready to help the children and families of the brave astronauts who lost their lives today.

The Space Shuttle Children's Trust Fund was founded on the day after the Space Shuttle Challenger tragedy in 1986, with the full support of the National Aeronautics and Space Administration (NASA). The Fund was established as a non-profit, tax exempt foundation to provide for the health, education, and support of the children of the astronauts who perished in the Challenger tragedy and of astronauts who might perish in the future while involved actively in participating in space exploration and travel conducted under the auspices of NASA. Since 1986, the Fund has served as a provider of health, education, and related support for these children, almost all of whom are now college graduates. The directors of the Fund wish to express their sorrow at today's Space Shuttle Columbia tragedy and their readiness to help the families and children of those brave astronauts who perished exploring the frontiers of space for the benefit of all humankind.

The Fund will hold a Board of Directors meeting on Monday at 11 a.m. in Washington, DC. Please feel free to contact me on my cell phone at [REDACTED] or at work at (202) 879-3794 if you have any questions. As someone who personally worked at NASA HQ in the 1990s, I wish to express how sorry we all are at today's tragedy.

Sincerely,

[REDACTED]

---

Do you Yahoo!?  
Yahoo! Mail Plus - Powerful. Affordable. Sign up now.  
<http://mailplus.yahoo.com>

Duf

Kathy Ann Kurke  
Chief Counsel  
NASA Langley Research Center

---

Office of Chief Counsel

E- mail: [k.a.kurke@larc.nasa.gov](mailto:k.a.kurke@larc.nasa.gov)

M.S. 141, 9A Langley Blvd

Phone: (757) 864-3221

NASA Langley Research Center,

FAX: (757) 864-8296

Hampton, VA 23681-0001

To: Jay Steptoe <jsteptoe@hq.nasa.gov>  
From: Kathy Ann Kurke <k.a.kurke@larc.nasa.gov>  
Subject: Re: FOIA legal team  
Cc: Bill Bierbower  
Bcc:  
Attached:

The FOIA attorney from LaRC will be Tom McMurry. He can be backed up by Jon Arena and our paralegal, Dawn Drabeck, if needed. ] Def

I would also like to sit in on the telecon. Thanks  
Kathy

At 04:44 PM 2/3/2003 -0500, you wrote:

Following the telecon discussion last night, Paul and Bob want to establish a NASA legal team to address FOIA issues arising from the Columbia accident. The Headquarters attorneys on the team will be David Gayle/GK, Guy Miller/GP, Dan Thomas/GG, and Bill Bierbower/GS as lead. Bob asked me to request that each Chief Counsel designate an attorney for this team so that we can work FOIA issues on coordinated basis NASA-wide. Please notify us of the designated attorney for your office by tomorrow morning, if possible, so we can get this team up and running (cc Bill Bierbower). Bob, Laura and I will participate in a kick-off meeting, later this week, and any Chief Counsel would be very welcome to join.

It's my understanding that the FOIA legal team will help support a larger effort by an HQ team being established today to coordinate NASA responses to "questions or comments from the external community [to ensure they are] timely, accurate, consistent and properly coordinated." This would include all inquiries, requests, etc. from Congress, the media and the public. That team will be led by Michael Greenfield, Associate Deputy Administrator for Technical Programs and includes Bob Stephens, P/Trish Pingra; L/Hellen Rothman; B/Doug Comstock; M/Angela Diaz and M/Bobbie Watkins; A/Gary Martin; and Q/Bill Bihner. Code I will also be represented on this team. Def.

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entirety and notify the sender of its destruction. Use, dissemination, distribution, or reproduction of this information by unintended recipients is not authorized and may be unlawful.

Jay Steptoe

Tel: 202.358.2432

Fax: 202.358.4355

**Kathy Ann Kurke**  
**Chief Counsel**  
**NASA Langley Research Center**

---

Office of Chief Counsel  
M.S. 141, 9A Langley Blvd  
NASA Langley Research Center,  
Hampton, VA 23681-0001

E- mail: [k.a.kurke@larc.nasa.gov](mailto:k.a.kurke@larc.nasa.gov)  
Phone: (757) 864-3221  
FAX: (757) 864-8296

X-Sender: smauldin@mail.arc.nasa.gov  
Date: Tue, 4 Feb 2003 12:33:11 -0800  
To: ppastore@hq.nasa.gov, rstephen@hq.nasa.gov, jmannix@hq.nasa.gov,  
dforbes@mail.hq.nasa.gov, dwojnaro@hq.nasa.gov, jsteptoe@hq.nasa.gov,  
bruce.anderson-1@ksc.nasa.gov, William.A.Hicks@msfc.nasa.gov,  
Timothy.Howell-113329@jpl.nasa.gov, J.William.Sikora@grc.nasa.gov,  
K.A.Kurke@larc.nasa.gov, Ken.Human@ssc.nasa.gov,  
mwinchel@ems.jsc.nasa.gov, lwatson@pop100.gsfc.nasa.gov,  
david.samuels@mail.dfrc.nasa.gov, rmoore@hq.nasa.gov  
From: Sally Mauldin <Sally.O.Mauldin@nasa.gov>  
Subject: Fwd:

All - Those of you who know Susan Smith (and others) might be interested in reading the article she wrote. You can access it by going to the FedSmith site - yes, that would be the one and only Ralph Smith, former Labor Officer at Marshall. Both Susan and Ralph keep in touch with me regularly.  
Sally

Date: Tue, 4 Feb 2003 12:29:55 -0800  
To:  
From: Sally Mauldin <Sally.O.Mauldin@nasa.gov>  
Subject: Fwd: Let's not repeat mistakes of the Challenger investigation; NASA budget to increase  
Cc:  
Bcc:  
X-Attachments:

From: "FedSmith.com" <listmanager@fedsmith.com>  
To: Sally.O.Mauldin@nasa.gov  
Reply-To: listmanager@fedsmith.com  
Subject: Let's not repeat mistakes of the Challenger investigation; NASA budget to increase  
Date: Mon, 03 Feb 2003 08:14:52 -0500

Some of the headlines for 2/3/2003 are listed below and you can read them by going to the Fedsmith site at <http://www.fedsmith.com>. To read the articles, click on the headline you want to read after you have accessed the Fedsmith site.

---

\* *An Appeal to President Bush: Let's Not Repeat the Mistakes of the Challenger Investigation As We Investigate the Columbia Accident*

One of the members of the FedSmith team had a front row seat when the Challenger accident occurred. At that time, Susan McGuire Smith was the chief legal counsel at NASA's George C. Marshall Space Flight Center. We asked her to share her personal thoughts on the Columbia accident and the loss of her crew and what the nation should keep in mind from Challenger as we deal with this tragic accident.

\* *Bush to propose about \$470 million budget increase for NASA*

The Bush administration will propose a spending boost for NASA to upgrade the shuttle fleet and develop a new space plane

\* *In Memoriam, the Crew of the Space Shuttle Columbia*

\* *"The Days of Miracle and Wonder:" Columbia's loss is a searing reminder of American Heroism*

Author Peggy Noonan discusses how the loss of our astronauts and Columbia affects all of us

\* *INS employees indicted for shredding documents to get rid of backlog*

Immigration and Naturalization Service employees have been indicted for shredding documents to get rid of a backlog

-----  
Please forward this note to your colleagues so they can sign up for notification of news and events from Fedsmith.com. Go to [http://www.fedsmith.com/email\\_list/](http://www.fedsmith.com/email_list/). You can customize your Fedsmith.com home page to contain only links you want. The service is free and you can change the links at any time.

Fedsmith is not a commercial site. We hate to see you leave but, if you must, you can unsubscribe by clicking here: <http://www.fedsmith.com/mailexpro/u.asp?l=2&e=Sally.O.Mauldin@nasa.gov>.

--

Sally O. Mauldin  
Chief Counsel  
Phone: (650) 604-3815  
Fax: (650) 604-2346



NOTICE OF EMAIL ADDRESS CHANGE: Effective December 9, 2002, my email address is changing to Sally.O.Mauldin@nasa.gov. Please update your records accordingly. Thanks.

This document contains confidential information protected by the attorney-client or other applicable privileges, or constitutes non-public information. It is intended only for the designated recipient(s). Use, dissemination, distribution, or reproduction of this information by unintended recipients is not authorized.

X-Sender: c.a.polen@pop.larc.nasa.gov  
X-Mailer: QUALCOMM Windows Eudora Version 5.0.2  
Date: Wed, 05 Feb 2003 13:13:45 -0500  
To: r.b.cone@larc.nasa.gov, s.l.yokum@larc.nasa.gov  
From: Pete Polen <c.a.polen@larc.nasa.gov>  
Subject: Re: Fwd: Re: Fwd: Special Request of the Exchange Council  
Cc: m.p.finneran@larc.nasa.gov

Randy & Sherri,

I discussed this with Code G and we are in agreement that such a donation is within the spirit of the Exchange NPD, 9050.6G.

Paragraph 1.c.(3) states that Exchanges may, by contract, or otherwise, promote activities contributing to the efficiency, welfare, and morale of NASA employees; and paragraph 1.c.(6) authorizes Exchanges to conduct other activities authorized by the Center Director with prior concurrence of the Center Chief Counsel and Center External Affairs Officer, when activities involve the public and are clearly in NASA's and its employees' interests.

Donating to an organization that is expending effort and funds to assist in the Columbia disaster recovery is something that one could conclude contributes to the morale of NASA employees and is, therefore, clearly related to NASA and the interests of its employees. Making the donation might, at least to some degree, serve to represent the overall desire of employees to help and perhaps bring some relief from the feeling of loss that NASA employees are currently experiencing as a result of the Columbia disaster.

The usual restrictions associated with fund raising through the CFC do not apply to non-appropriated fund activities but relate to soliciting Federal employees for contributions to charitable organizations. Thus, any effort to solicit directly from employees would create potential problems that the current request does not raise. Randy, the points you mention in your previous e-mail about receiving similar requests are valid and must also be weighed in making such a decision. Another issue to ponder is whether the Exchange is in a financially viable position to make such a donation. Certainly the Exchange is not in a financial position to respond if we receive a host of these requests, but I do not anticipate that situation. While the donations from other NASA exchanges will make this request more difficult to decline, the above considerations should be weighed before deciding to donate.

I would suggest following the requirements of paragraph 1.c.(6) to authorize a donation in

response to this request. In that case, this e-mail will serve as the concurrence of the LaRC Chief Counsel. I have also copied Mike Finneran, as External Affairs Officer, to determine if he concurs. If so, I believe that Lana has authority to make the decision authorizing the donation since the Center Director has, by LAPD 9050.9, paragraph 5.a., delegated to the Associate Director for Business Management the responsibility for monitoring and implementing exchange policy.

Please let me know if you need any further assistance.

Pete Polen  
Associate Chief Counsel

At 12:01 PM 2/5/2003 -0500, you wrote:

Pete,

FYI

Randy

X-Info: ODIN / NASA Glenn Research Center

X-Sender: epjohn@popserve.grc.nasa.gov

X-Mailer: QUALCOMM Windows Eudora Version 5.1.1

Date: Wed, 05 Feb 2003 11:01:25 -0500

To: Chris Jedrey <cjedrey@hq.nasa.gov>

From: "John M. Hairston Jr" <John.M.Hairston@nasa.gov>

Subject: Re: Fwd: Special Request of the Exchange Council

Cc: Donald.J.Sawyer@nasa.gov, lhaines@mail.arc.nasa.gov,

spetersen@mail.arc.nasa.gov, louann.beu@mail.dfrc.nasa.gov,

jimmy.walker@mail.dfrc.nasa.gov, amecum@gsfc.nasa.gov,

Betty.j.pyles@gsfc.nasa.gov, James.E.Hattaway@nasa.gov,

karen.white@hq.nasa.gov, deborah.a.conder1@jsc.nasa.gov,

greg.w.hayes1@jsc.nasa.gov, Maria.wilson-1@kmail.nasa.gov,

l.m.couch@larc.nasa.gov, r.b.cone@larc.nasa.gov,

Steven.P.Durham@msfc.nasa.gov, Axel.Roth@msfc.nasa.gov,

Jon.B.Roth@ssc.nasa.gov, linda.a.layton.1@gsfc.nasa.gov,

rnock@pop800.gsfc.nasa.gov, jparker@mail.hq.nasa.gov,

Kimberly.A.Weaver.1@gsfc.nasa.gov,

Garry Gaukler <ggaukler@mail.hq.nasa.gov>,

timothy Sullivan <tsulliva@hq.nasa.gov>

Chris:

Glenn's Exchange Council will donate \$1,000.

John

At 09:00 AM 2/4/2003 -0500, Chris Jedrey wrote:

John,

Sorry I missed you on the original.

Date: Tue, 04 Feb 2003 08:05:05 -0500

To: Donald.J.Sawyer@nasa.gov, lhaines@mail.arc.nasa.gov,  
spetersen@mail.arc.nasa.gov, louann.beu@mail.dfrc.nasa.gov,  
jimmy.walker@mail.dfrc.nasa.gov, amecum@gsfc.nasa.gov,  
Betty.j.pyles@gsfc.nasa.gov, , James.E.Hattaway@nasa.gov,  
karen.white@hq.nasa.gov, deborah.a.conder1@jsc.nasa.gov,  
greg.w.hayes1@jsc.nasa.gov, Maria.wilson-1@kmail.nasa.gov, l.m.couch@larc.nasa.gov,  
r.b.cone@larc.nasa.gov, Steven.P.Durham@msfc.nasa.gov, Axel.Roth@msfc.nasa.gov,  
Jon.B.Roth@ssc.nasa.gov, linda.a.layton.1@gsfc.nasa.gov,  
rnock@pop800.gsfc.nasa.gov, jparker@mail.hq.nasa.gov,  
Kimberly.A.Weaver.1@gsfc.nasa.gov

From: Chris Jedrey <cjedrey@hq.nasa.gov>

Subject: Fwd: Special Request of the Exchange Council

Cc: Garry Gaukler <ggaukler@mail.hq.nasa.gov>, timothy Sullivan  
<tsulliva@hq.nasa.gov>

Greetings,

I have been asked to contact each of the Exchanges and ask each to consider a cash donation to the Salvation Army. "The Salvation Army has been in the field providing comfort and support to the recovery teams. They been giving food and shelter to the recovery workers as well as the comfort. To date the Salvation Army has provided about \$25K in support of the recovery effort."

Garry Gaukler from Code M approached me this morning and would like to raise \$25,000 as a donation to the Salvation Army to help defray the expense they are incurring to help us. I told Gary that HQ ias a very small operation and does not have a lot of resources but we are willing to pledge \$1,000.00. Since the request to us is minutes old I have not been able to contact all of the Council members at HQ for a vote but I am confident of the \$1,000.00. It may be more once we convene an emergency meeting.

Could I ask each of you to do the dame at your Council?-----that is look at what you

can afford and let me know the amount? Please cc the others so if they are deliberating they may see what we still need. I am sure that if we happen to exceed \$25,000 it will be greatly appreciated as the expenses continue to mount.

Could you let me know as soon as possible? Today would be great.

X-Sender: ggaukler@mail.hq.nasa.gov  
X-Mailer: QUALCOMM Windows Eudora Version 4.3.2  
Date: Tue, 04 Feb 2003 07:27:34 -0500  
To: Chris Jedrey <cjedrey@mail.hq.nasa.gov>  
From: Garry Gaukler <ggaukler@hq.nasa.gov>  
Subject: Special Request of the Exchange Council

Chris,

I'd like to make an appeal to the Exchange Council to make a donation of \$1,000 to the Salvation Army for their help/aid/support of the Columbia recovery efforts. The Salvation Army has been in the field providing comfort and support to the recovery team. They been giving food and shelter to the recovery workers as well as the comfort. TO date the Salvation Army has provided about \$25K in support of the recovery effort. Any thing we can do to help I'm sure would be appreciated.

As you probably know we can't provide NASA appropriated dollars to a charitable organization. Any amount the Exchange Council could donate would be appreciated.

For Your Own Info - Also, if you could coordinate with some of the other Centers to see if they'd be willing to make donations as well. I been talking to Scott Pace. If we can get a total from HQs and the other Centers, he'd like to do a short press release. It would go something like - "NASA employees, through non-appropriated funds, have donated \$x to the Salvation Army to aid in their support of the recovery efforts .... and so on." This may spawn others to do the same.

How soon do you think I can get a response?

I appreciate your help on this, Thanks,

Garry Gaukler  
OSF Acting Assistant Associate Administrator,  
Business Management Integration & Analysis  
e-mail: ggaukler@hq.nasa.gov  
phone #: 202-358-1013  
fax #: 202-358-2848  
Room #: 7C76

Chris Jedrey  
NASA Headquarters  
(202) 358-0483  
FAX (202) 358-3561

Randy B. Cone  
Exchange Operations Manager  
Office of the Director  
NASA Langley Research Center  
Mail Stop 125, Bldg. 1268b Rm. 1206  
Hampton, Virginia 23681  
Phone: 757-864-9135  
Email: R.B.Cone@Larc.NASA.gov

To: "Michael P. Finneran" <m.p.finneran@larc.nasa.gov>  
From: Kathy Ann Kurke <k.a.kurke@larc.nasa.gov>  
Subject: Re: Readdy  
Cc:  
Bcc:  
Attached:

Yet ... that is what I was trying to tell you was on NASA Watch - but appears nowhere I could find on any NASA site.

I think we should not limit our note to documented since our folks feel that their opinion is not being heard and Del wants to provide an outlet. They can sort it out up there.

Kath

At 01:20 PM 2/5/2003 -0500, you wrote:

Kathy, this is on NASA Watch. I assume it is true. So what Del wants to do is in line with this. Note, though, the use of the word "documented." I suppose that is an effort to separate, as they say, the wheat from the chaff.

**OSF AA Bill Readdy:** "We urge any nasa or contractor employee with any documented concern to make that available to the Mishap Investigation Team, the external, independent Columbia Accident Investigation Board, the confidential NASA Safety Reporting System or the IG. We must have access to ALL the evidence in order to run this to ground. We will leave no lead unfollowed to its logical conclusion."

--

Michael Finneran  
Head, Office of External Affairs  
NASA Langley Research Center  
Mail Stop 115  
Hampton, Va. 23681

(757) 864-6124 / fax 6333  
Cell phone: (757) 344-4611

<http://www.larc.nasa.gov>

Kathy Ann Kurke  
Chief Counsel

To: Pete Polen <c.a.polen@larc.nasa.gov>  
From: Kathy Ann Kurke <k.a.kurke@larc.nasa.gov>  
Subject: Re: Fwd: Re: Fwd: Special Request of the Exchange Council  
Cc:  
Bcc:  
Attached:

VERY LATE BREAKING NEWS - Apparently the OPM is also in the process of seeking to create a fund similar to the one they created for the 9-11 victims. I will provide you more info as I hear of it.

Kathy

At 01:13 PM 2/5/2003 -0500, Pete Polen wrote:  
Randy & Sherri,

I discussed this with Code G and we are in agreement that such a donation is within the spirit of the Exchange NPD, 9050.6G.

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Duf



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Please let me know if you need any further assistance.

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Associate Chief Counsel

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Randy

X-Info: ODIN / NASA Glenn Research Center

X-Sender: epjohn@popserve.grc.nasa.gov

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Date: Wed, 05 Feb 2003 11:01:25 -0500

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Subject: Re: Fwd: Special Request of the Exchange Council

Cc: Donald.J.Sawyer@nasa.gov, lhaines@mail.arc.nasa.gov,  
spetersen@mail.arc.nasa.gov, louann.beu@mail.dfrc.nasa.gov,  
jimmy.walker@mail.dfrc.nasa.gov, amecum@gsfc.nasa.gov,  
Betty.j.pyles@gsfc.nasa.gov, James.E.Hattaway@nasa.gov,  
karen.white@hq.nasa.gov, deborah.a.conder1@jsc.nasa.gov,  
greg.w.hayes1@jsc.nasa.gov, Maria.wilson-1@kmail.nasa.gov,  
l.m.couch@larc.nasa.gov, r.b.cone@larc.nasa.gov,  
Steven.P.Durham@msfc.nasa.gov, Axel.Roth@msfc.nasa.gov,  
Jon.B.Roth@ssc.nasa.gov, linda.a.layton.1@gsfc.nasa.gov,  
rnock@pop800.gsfc.nasa.gov, jparker@mail.hq.nasa.gov,  
Kimberly.A.Weaver.1@gsfc.nasa.gov,  
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jimmy.walker@mail.dfrc.nasa.gov, amecum@gsfc.nasa.gov, Betty.j.pyles@gsfc.nasa.gov,  
, James.E.Hattaway@nasa.gov, karen.white@hq.nasa.gov,  
deborah.a.conder1@jsc.nasa.gov, greg.w.hayes1@jsc.nasa.gov, Maria.wilson-  
1@kmail.nasa.gov, l.m.couch@larc.nasa.gov, r.b.cone@larc.nasa.gov,  
Steven.P.Durham@msfc.nasa.gov, Axel.Roth@msfc.nasa.gov, Jon.B.Roth@ssc.nasa.gov,  
linda.a.layton.1@gsfc.nasa.gov, rnock@pop800.gsfc.nasa.gov,  
jparker@mail.hq.nasa.gov, Kimberly.A.Weaver.1@gsfc.nasa.gov  
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Garry Gaukler  
OSF Acting Assistant Associate Administrator,

Business Management Integration & Analysis

e-mail: [ggaukler@hq.nasa.gov](mailto:ggaukler@hq.nasa.gov)  
phone #: 202-358-1013  
fax #: 202-358-2848  
Room #: 7C76

Chris Jedrey  
NASA Headquarters  
(202) 358-0483  
FAX (202) 358-3561

Randy B. Cone  
Exchange Operations Manager  
Office of the Director  
NASA Langley Research Center  
Mail Stop 125, Bldg. 1268b Rm. 1206  
Hampton, Virginia 23681  
Phone: 757-864-9135  
Email: [R.B.Cone@Larc.NASA.gov](mailto:R.B.Cone@Larc.NASA.gov)

**Kathy Ann Kurke**  
**Chief Counsel**  
**NASA Langley Research Center**

---

Office of Chief Counsel  
M.S. 141, 9A Langley Blvd  
NASA Langley Research Center,  
Hampton, VA 23681-0001

E-mail: [k.a.kurke@larc.nasa.gov](mailto:k.a.kurke@larc.nasa.gov)  
Phone: (757) 864-3221  
FAX: (757) 864-8296

Dup

From: "Timothy S. Howell" <THowell@nmo.jpl.nasa.gov>  
To: "'Robert Stephens'" <rstephen@hq.nasa.gov>,  
    "'ppastore@hq.nasa.gov'"  
    <ppastore@hq.nasa.gov>,  
    Robert Parker <RParker@nmo.jpl.nasa.gov>  
Cc: "'mwinchel@ems.jsc.nasa.gov'" <mwinchel@ems.jsc.nasa.gov>,  
    "'william.a.hicks@msfc.nasa.gov'" <william.a.hicks@msfc.nasa.gov>,  
    "'lawrence.watson@gsfc.nasa.gov'" <lawrence.watson@gsfc.nasa.gov>,  
    "'k.a.kurke@larc.nasa.gov'" <k.a.kurke@larc.nasa.gov>,  
    "'john.w.sikora@lerc.nasa.gov'" <john.w.sikora@lerc.nasa.gov>,  
    "'david.samuels@mail.dfrc.nasa.gov'" <david.samuels@mail.dfrc.nasa.gov>,  
    "'bruce.anderson-1@ksc.nasa.gov'" <bruce.anderson-1@ksc.nasa.gov>,  
    "'ssc.legal.office@ssc.nasa.gov'" <ssc.legal.office@ssc.nasa.gov>,  
    "'sally.o.mauldin@nasa.gov'" <sally.o.mauldin@nasa.gov>  
Subject: NMO 02.12.03wklyrpt  
Date: Wed, 5 Feb 2003 11:02:10 -0800  
X-Mailer: Internet Mail Service (5.0.1461.28)

> -----

> From: Timothy S. Howell  
> Sent: Wednesday, January 29, 2003 3:25 PM  
> To: 'Robert Stephens'; 'ppastore@hq.nasa.gov'; Robert Parker  
> Cc: 'mwinchel@ems.jsc.nasa.gov'; 'william.a.hicks@msfc.nasa.gov';  
> 'lawrence.watson@gsfc.nasa.gov'; 'k.a.kurke@larc.nasa.gov';  
> 'john.w.sikora@lerc.nasa.gov'; 'david.samuels@mail.dfrc.nasa.gov';  
> 'bruce.anderson-1@ksc.nasa.gov'; 'ssc.legal.office@ssc.nasa.gov';  
> 'sally.o.mauldin@nasa.gov'  
> Subject: NMO 01.029.03wklyrpt

>  
>

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> only. If you are not an intended addressee and received this transmission  
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- > NASA Management Office
- > Weekly Report
- > Significant Legal Activities
- >

February 5, 2003

Columbia Accident Investigation: The NMO Chief Counsel is participating as necessary to help facilitate Columbia accident investigation activities. Coordinating actions were taken with regard to Code S, JPL, Caltech, and the local office of the OIG.

Code J Sponsored Realty Assessment Team Visit: The NMO Chief Counsel participated in a meeting on February 2nd with representatives from Staubach, a worldwide real estate services firm. Staubach is being sponsored by Code JX to assist in the development of a new business plan for realty across NASA and to assess revenue enhancement opportunities. The Staubach team indicated it may contract the NMO for a follow-up meeting to discuss "unique features" of JPL.

- > JPL CERCLA Site: The NMO Chief Counsel prepared or coordinated the
- > development of various briefing materials about the JPL CERCLA program for
- > Code G and other senior managers at HQ. Further discussions and
- > additional coordination efforts are planned.
- >
- >
- >

To: Mike Finneran  
From: Kathy Ann Kurke <k.a.kurke@larc.nasa.gov>  
Subject:  
Cc:  
Bcc:  
Attached:

Mike - FYI - I put the following suggestion into the @LaRC feedback page.

"Mike Finneran and I were talking today about how helpful we think it would be if you were to create a temporary box on the front page of this site dedicated to the Columbia. You could include hyperlinks to the NASA main homepage that describes the events; links to the investigation boards for any information that employees feel should be forwarded to the investigation board ; a hyperlink to the FOIA office to forward requests from 3rd parties for documents; and the address of the EAP service. Del and the public affairs office could include other things as they deem necessary. I realize this would take some effort to do - but the Shuttle investigation will take some time and the box could be useful for some time to come."

Kathy Ann Kurke  
Chief Counsel  
NASA Langley Research Center

---

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Hampton, VA 23681-0001

E- mail: k.a.kurke@larc.nasa.gov  
Phone: (757) 864-3221  
FAX: (757) 864-8296

To: OCC - all, Linda Blackburn  
From: Kathy Ann Kurke <k.a.kurke@larc.nasa.gov>  
Subject: Fwd: NMO 02.12.03wklyrpt  
Cc:  
Bcc:  
Attached:

From: "Timothy S. Howell" <THowell@nmo.jpl.nasa.gov>  
To: "'Robert Stephens'" <rstephen@hq.nasa.gov>,  
    "'ppastore@hq.nasa.gov'"  
    <ppastore@hq.nasa.gov>,  
    Robert Parker <RParker@nmo.jpl.nasa.gov>  
Cc: "'mwinchel@ems.jsc.nasa.gov'" <mwinchel@ems.jsc.nasa.gov>,  
    "'william.a.hicks@msfc.nasa.gov'" <william.a.hicks@msfc.nasa.gov>,  
    "'lawrence.watson@gsfc.nasa.gov'" <lawrence.watson@gsfc.nasa.gov>,  
    "'k.a.kurke@larc.nasa.gov'" <k.a.kurke@larc.nasa.gov>,  
    "'john.w.sikora@lerc.nasa.gov'" <john.w.sikora@lerc.nasa.gov>,  
    "'david.samuels@mail.dfrc.nasa.gov'" <david.samuels@mail.dfrc.nasa.gov>,  
    "'bruce.anderson-1@ksc.nasa.gov'" <bruce.anderson-1@ksc.nasa.gov>,  
    "'ssc.legal.office@ssc.nasa.gov'" <ssc.legal.office@ssc.nasa.gov>,  
    "'sally.o.mauldin@nasa.gov'" <sally.o.mauldin@nasa.gov>  
Subject: NMO 02.12.03wklyrpt  
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*Dup*

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> 'lawrence.watson@gsfc.nasa.gov'; 'k.a.kurke@larc.nasa.gov';  
> 'john.w.sikora@lerc.nasa.gov'; 'david.samuels@mail.dfrc.nasa.gov';  
> 'bruce.anderson-1@ksc.nasa.gov'; 'ssc.legal.office@ssc.nasa.gov';  
> 'sally.o.mauldin@nasa.gov'  
> Subject: NMO 01.029.03wklyrpt  
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Kathy Ann Kurke  
Chief Counsel  
NASA Langley Research Center

Office of Chief Counsel

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Dyf

M.S. 141, 9A Langley Blvd

Phone: (757) 864-3221

NASA Langley Research Center,

FAX: (757) 864-8296

Hampton, VA 23681-0001

TO: PAO/FOIA Offices  
FROM: Assistant Administrator, Office of Public Affairs  
SUBJECT: Requests for Records Related to the Columbia Accident  
DATE: February 5, 2003

*Duplicate*

This memorandum establishes the procedures for processing "third party" requests to NASA Centers and Headquarters for all records related to the Columbia/STS-107 accident and related investigations (referred to below as "Columbia-related records"). This memorandum does not establish new procedures, but instead addresses the application of NASA's existing Freedom of Information Act procedures (14 C.F.R. Section 1206) to the unique situation at hand. The goals of this process include assurance of timely responses to requests, thorough documentation of all records requested by and released to third parties, and publication of those records through a NASA internet web site described below.

This policy applies to all "third parties," which is any person or organization other than: 1) NASA employees, 2) NASA contractors involved in the Columbia accident investigation or involved in the Shuttle program, 3) other Federal agencies, and 4) the Columbia Accident Investigation Board (CAIB) chaired by Adm. Gehman, and its supporting contractors. The following procedural guidelines will be followed in handling third-party requests:

- **Processing requests:**

- Any request from third-parties for Columbia-related records will be processed under NASA's Freedom of Information Act (FOIA) procedures, 14 C.F.R. Part 1206, including log-in/log out of all requests.
- Any oral request by a third party for Columbia-related records must be reduced to writing and submitted to the appropriate PAO/FOIA office.
- All draft responses (initial determinations) will be reviewed expeditiously by Chief Counsel (Code GG for Headquarters) and appropriate technical personnel.
- All requests will be processed promptly: the requests and records determined responsive to the requests will be promptly located and reviewed, and timely decisions will be made concerning releasability.
- [Dave Kings' group in Lufin – need to discuss procedures]

- **Daily lists of requests:**

- Center and HQ FOIA offices will compile a daily list of Columbia-related requests and forward their lists daily to a designated attorney contacts (listed below) in the Center Chief Counsel's/General Counsel (Code GG) office.

- **Publicly available web site for released records:**

- Centers' and HQ FOIA Officers will provide NASA Headquarters PAO with all initial determinations and released records [in digital format] on the date they are issued to the requesting party.
- These records will be published promptly on a publicly available web site to be established by HQ PAO.

**\*Chief Counsels Designated Attorneys (list will be added)**

cc:

Center News Chiefs

To: OCC-Business law team,C W Cleghorn <C.W.Cleghorn@larc.nasa.gov>,  
<Cheryl.W.Cleghorn@nasa.gov>  
From: Kathy Ann Kurke <k.a.kurke@larc.nasa.gov>  
Subject: request for 3rd party documents regarding Columbia  
Cc: Mike Finneran, Del Freeman, Lana Couch, Sherri Yokum  
Bcc:  
Attached: c:\documents and settings\eutora\attach\FOIA -- Columbia records  
requests1.doc;

Attached is a HQ memo hot off the press that establishes procedures for processing 3rd party requests to NASA Centers for all records related to Columbia. I have been directed to make sure this policy is in place. Tom will get together with Cheryl to develop a way of getting the word out as appropriate.  
Kathy

X-Authentication-Warning: spinoza.public.hq.nasa.gov: majordom set sender to owner-  
chiefcounsel using -f  
X-Sender: cjohnson@mail.hq.nasa.gov  
X-Mailer: QUALCOMM Windows Eudora Version 4.3.2  
Date: Wed, 05 Feb 2003 16:41:22 -0500  
To: william Bierbower <wbierbow@hq.nasa.gov>  
From: Carolyn Johnson <cjohnson@hq.nasa.gov>  
Subject: Fwd: TO:  
Cc: ChiefCounsel@spinoza.public.hq.nasa.gov  
Sender: owner-chiefcounsel@lists.hq.nasa.gov

X-Sender: wbierbow@mail.hq.nasa.gov  
X-Mailer: QUALCOMM Windows Eudora Version 4.3.2  
Date: Wed, 05 Feb 2003 15:10:58 -0500  
To: cjohnson@hq.nasa.gov  
From: William Bierbower <wbierbow@hq.nasa.gov>  
Subject: TO:

Kathy Ann Kurke

Chief Counsel  
NASA Langley Research Center

---

Office of Chief Counsel  
M.S. 141, 9A Langley Blvd  
NASA Langley Research Center,  
Hampton, VA 23681-0001

E- mail: k.a.kurke @larc.nasa.gov  
Phone: (757) 864-3221  
FAX: (757) 864-8296

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FROM: Assistant Administrator, Office of Public Affairs  
SUBJECT: Requests for Records Related to the Columbia Accident  
DATE: February 5, 2003

Duf.

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**\*Chief Counsels Designated Attorneys (list will be added)**

cc:

Center News Chiefs



X-Authentication-Warning: spinoza.public.hq.nasa.gov: majordom set sender to owner-chiefcounsel using -f

X-Sender: wbierbow@mail.hq.nasa.gov

X-Mailer: QUALCOMM Windows Eudora Version 4.3.2

Date: Wed, 05 Feb 2003 18:08:29 -0500

To: ChiefCounsel@spinoza.public.hq.nasa.gov

From: William Bierbower <wbierbow@hq.nasa.gov>

Subject: Columbia accident --PAO/FOIA memo re requests for records

Cc: ppastore@hq.nasa.gov, rstephen@hq.nasa.gov, jsteptoe@hq.nasa.gov,

dthomas1@hq.nasa.gov, gmiller@hq.nasa.gov, dgayle@hq.nasa.gov,

George.P.Sloup@nasa.gov, Blakely.A.Lord@nasa.gov,

Kaprice.L.Harris@nasa.gov, David.S.Schuman@nasa.gov,

THowell@nmo.jpl.nasa.gov, Geoffrey.S.Swanson@nasa.gov,

t.mccury@larc.nasa.gov, Christi.L.Dame@nasa.gov,

Robert.Magnuson@ssc.nasa.gov

Sender: owner-chiefcounsel@lists.hq.nasa.gov

Please find attached the latest version of the draft memorandum regarding FOIA treatment of requests for Columbia-related records. This draft contains a revision, in italics, to the draft cc'ed to you by Carolyn Johnson approximately one hour ago, plus the list of Chief Counsels' designated attorneys on the FOIA legal team.

Bill

William J. Bierbower  
Senior Attorney  
Office of the General Counsel  
NASA Headquarters  
3rd and E Streets, SW  
Washington, D.C.  
202-358-1780

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FOIA -- Columbia records requests113.doc

(See #SB-38 for  
Copy of attachment)

To: OCC-Business law team, C W Cleghorn <C.W.Cleghorn@larc.nasa.gov>, Patent Attorneys  
From: Kathy Ann Kurke <k.a.kurke@larc.nasa.gov>  
Subject: Fwd: Columbia accident --PAO/FOIA memo re requests for records  
Cc: Mike Finneran, Del Freeman, Lana Couch, Sherri Yokum  
Bcc:  
Attached: c:\documents and settings\eudora\attach\FOIA -- Columbia records requests113.doc;

A revision to the last one  
Kathy

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chiefcounsel using -f  
X-Sender: wbierbow@mail.hq.nasa.gov  
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Date: Wed, 05 Feb 2003 18:08:29 -0500  
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Subject: Columbia accident --PAO/FOIA memo re requests for records  
Cc: ppastore@hq.nasa.gov, rstephen@hq.nasa.gov, jsteptoe@hq.nasa.gov,  
dthomas1@hq.nasa.gov, gmiller@hq.nasa.gov, dgayle@hq.nasa.gov,  
George.P.Sloup@nasa.gov, Blakely.A.Lord@nasa.gov,  
Kaprice.L.Harris@nasa.gov, David.S.Schuman@nasa.gov,  
THowell@nmo.jpl.nasa.gov, Geoffrey.S.Swanson@nasa.gov,  
t.mccury@larc.nasa.gov, Christi.L.Dame@nasa.gov,  
Robert.Magnuson@ssc.nasa.gov  
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Dup.

**Kathy Ann Kurke**  
**Chief Counsel**  
**NASA Langley Research Center**

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NASA Langley Research Center,  
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Phone: (757) 864-3221  
FAX: (757) 864-8296

**DRAFT 2/5/03 6:00 P.M. Eastern Time**

TO: PAO/FOIA Offices

FROM: Assistant Administrator, Office of Public Affairs

SUBJECT: Requests for Records Related to the Columbia Accident

DATE: February \_\_, 2003

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- [Dave Kings’ group in Lufin – need to discuss procedures]

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- **Chief Counsels' Designated Attorneys:**

Ames:	George Sloup
Dryden:	Blakely A Lord
Glenn:	Kaprice Harris
Goddard:	David Schuman
JPL/NMO:	Tim Howell
KSC:	Geoff Swanson
LaRC:	Tom McMurry
Marshall:	Christi Dame
Stennis:	Robert Magnuson

cc:  
Center News Chiefs

To: William Bierbower <wbierbow@hq.nasa.gov>  
From: Kathy Ann Kurke <k.a.kurke@larc.nasa.gov>  
Subject: Re: Columbia accident --PAO/FOIA memo re requests for records  
Cc:  
Bcc:  
Attached:

Thanks! It is nicely written.

At 06:08 PM 2/5/2003 -0500, you wrote:

Please find attached the latest version of the draft memorandum regarding FOIA treatment of requests for Columbia-related records. This draft contains a revision, in italics, to the draft cc'ed to you by Carolyn Johnson approximately one hour ago, plus the list of Chief Counsels' designated attorneys on the FOIA legal team.

Bill

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Phone: (757) 864-3221  
FAX: (757) 864-8296



From: "Anderson-1, Bruce" <Bruce.H.Anderson@nasa.gov>  
To: "'Kathy Ann Kurke'" <k.a.kurke@larc.nasa.gov>  
Subject: RE: last week's meeting.  
Date: Sun, 2 Feb 2003 14:25:47 -0500  
X-Mailer: Internet Mail Service (5.5.2653.19)

Kathy -

You ARE greatest. Thanks again. Are you aware of the conference call with Paul at 5:00 PM?

-----Original Message-----

**From:** Kathy Ann Kurke [mailto:k.a.kurke@larc.nasa.gov]  
**Sent:** Sunday, February 02, 2003 2:19 PM  
**To:** Anderson-1, Bruce  
**Subject:** Re: last week's meeting.

You are very welcome.

You know, Bruce, the launch you arranged for us to attend has so very much more meaning than it did before. I remember that while the launch was described as "picture perfect" one could not help but feel the enormity of the whole space travel business. And as the shuttle pulled away I think that even those who were uncertain about their faith uttered a silent prayer for their safe return.

I can not imagine what KSC and JSC is going through right now. My staff understands that both you and Mike W and your staffs will have a heavy load to face. We would like to pitch in and lift some of your burden. In addition - I assume that there is a good chance that you knew one or more of the astronauts. If so - I am sorry for your personal loss.

By the way... if there is anything you would like our office to do for you on the off hours - my home phone is [redacted] and my cell is [redacted]

Kathy

----- Original Message -----

**From:** Anderson-1, Bruce  
**To:** 'Kathy Ann Kurke'  
**Sent:** Sunday, February 02, 2003 12:49 PM  
**Subject:** RE: last week's meeting.

Kathy -

I was just now able to get to this e-mail. Thanks . . . Bruce.

-----Original Message-----

**From:** Kathy Ann Kurke [mailto:k.a.kurke@larc.nasa.gov]  
**Sent:** Tuesday, January 21, 2003 5:23 PM  
**To:** Bruce.H.Anderson@nasa.gov  
**Cc:** Suzanne.C.Stuckey@nasa.gov  
**Subject:** last week's meeting.

Bruce -

Just a quick note to tell you that I thought you did a terrific job in putting together that conference. It ran very smoothly even though you had to contend with an iffy launch schedule and a bunch of characters like all of us! The hotel was nice, the choice of restaurants was great, and the meeting room and support were perfect. You and your administrative staff clearly run an efficient and effective

Duf

organization! You certainly set the bar for future meetings. I doubt that anyone will beat it.  
Kathy

Def

**Kathy Ann Kurke**  
**Chief Counsel**  
**NASA Langley Research Center**

---

Office of Chief Counsel  
M.S. 141, 9A Langley Blvd  
NASA Langley Research Center,  
Hampton, VA 23681-0001

E-mail: [k.a.kurke@larc.nasa.gov](mailto:k.a.kurke@larc.nasa.gov)  
Phone: (757) 864-3221  
FAX: (757) 864-8296

Subject: Shuttle

Date: Fri, 31 Jan 2003 11:30:14 -0500

X-MS-Has-Attach: yes

Thread-Topic: Shuttle Mission....

Thread-Index: AcLIgq8cWsBJqBD8TmmtREyG9QptQAawi6owAAA7SuA=

From: [REDACTED]

To: "Kathy Ann Kurke (E-mail)" <k.a.kurke@larc.nasa.gov>,

"Shawn T. Gallagher (E-mail)" <s.t.gallagher@larc.nasa.gov>,

"Pete Polen (E-mail)" <c.a.polen@larc.nasa.gov>,

"Kevin Love (E-mail)" <k.e.love@larc.nasa.gov>,

"Dawn Drabeck (E-mail)" <d.s.drabeck@larc.nasa.gov>,  
[REDACTED]

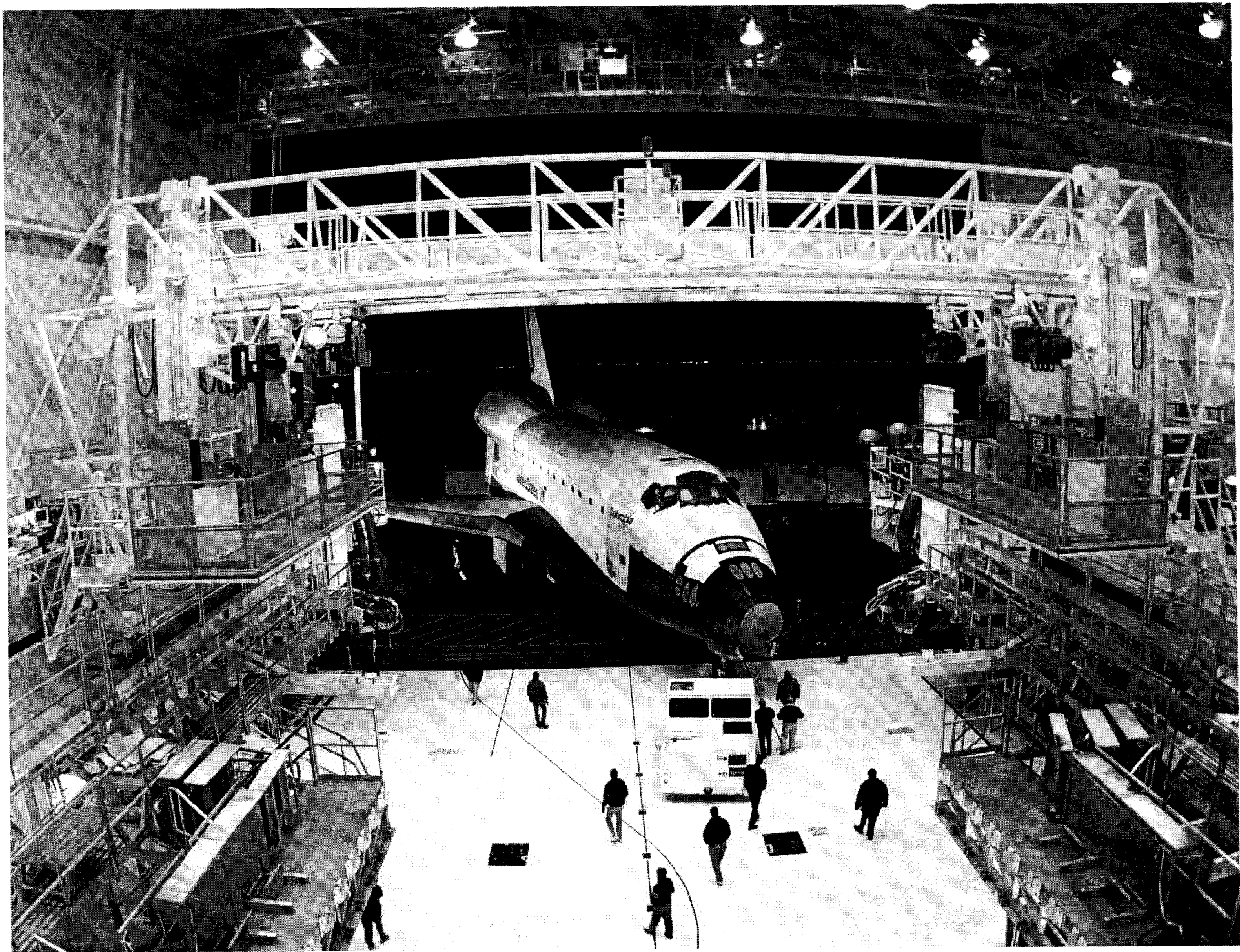
FOIA EXEMPTION  
(B)(6)

Cool Shuttle pics.

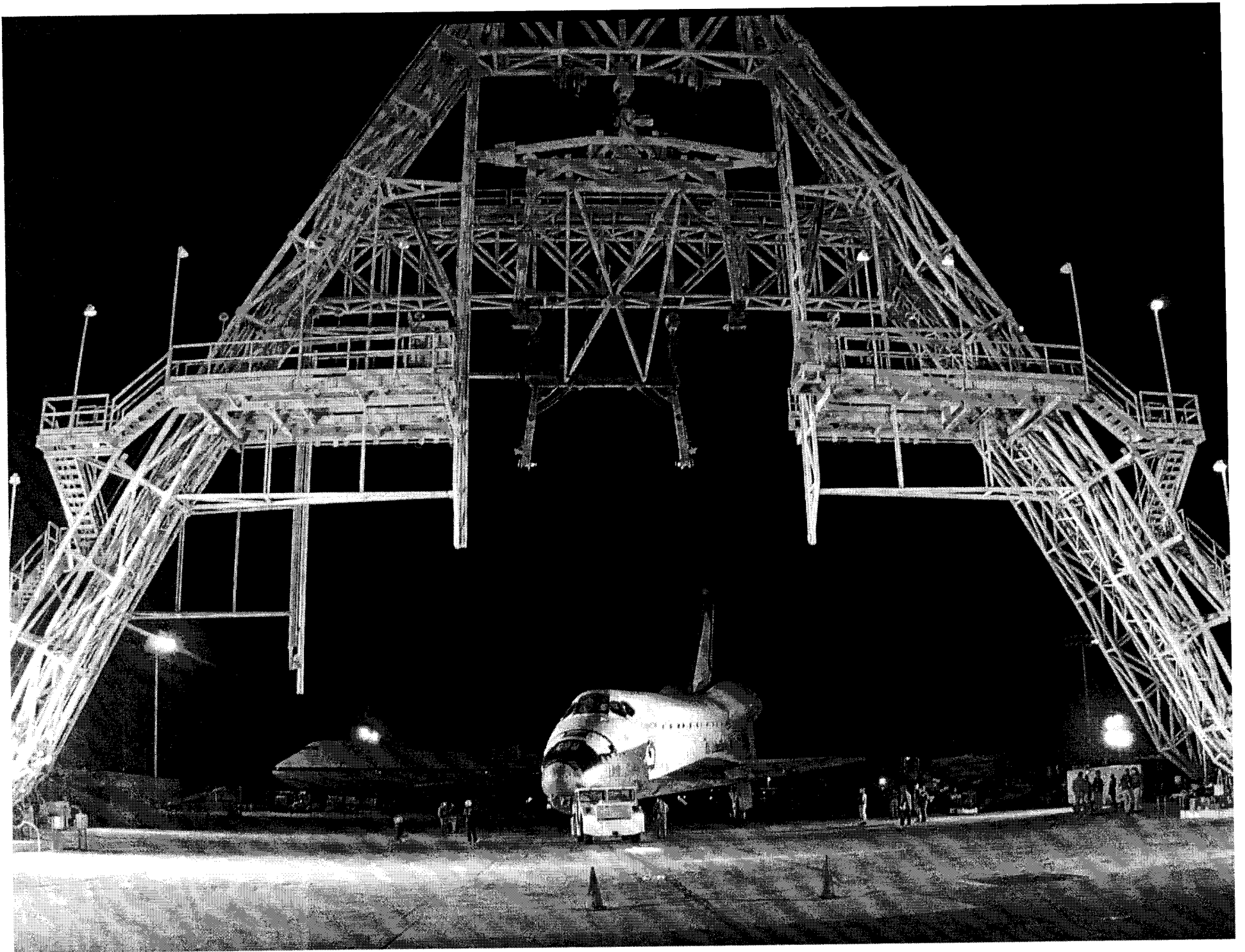
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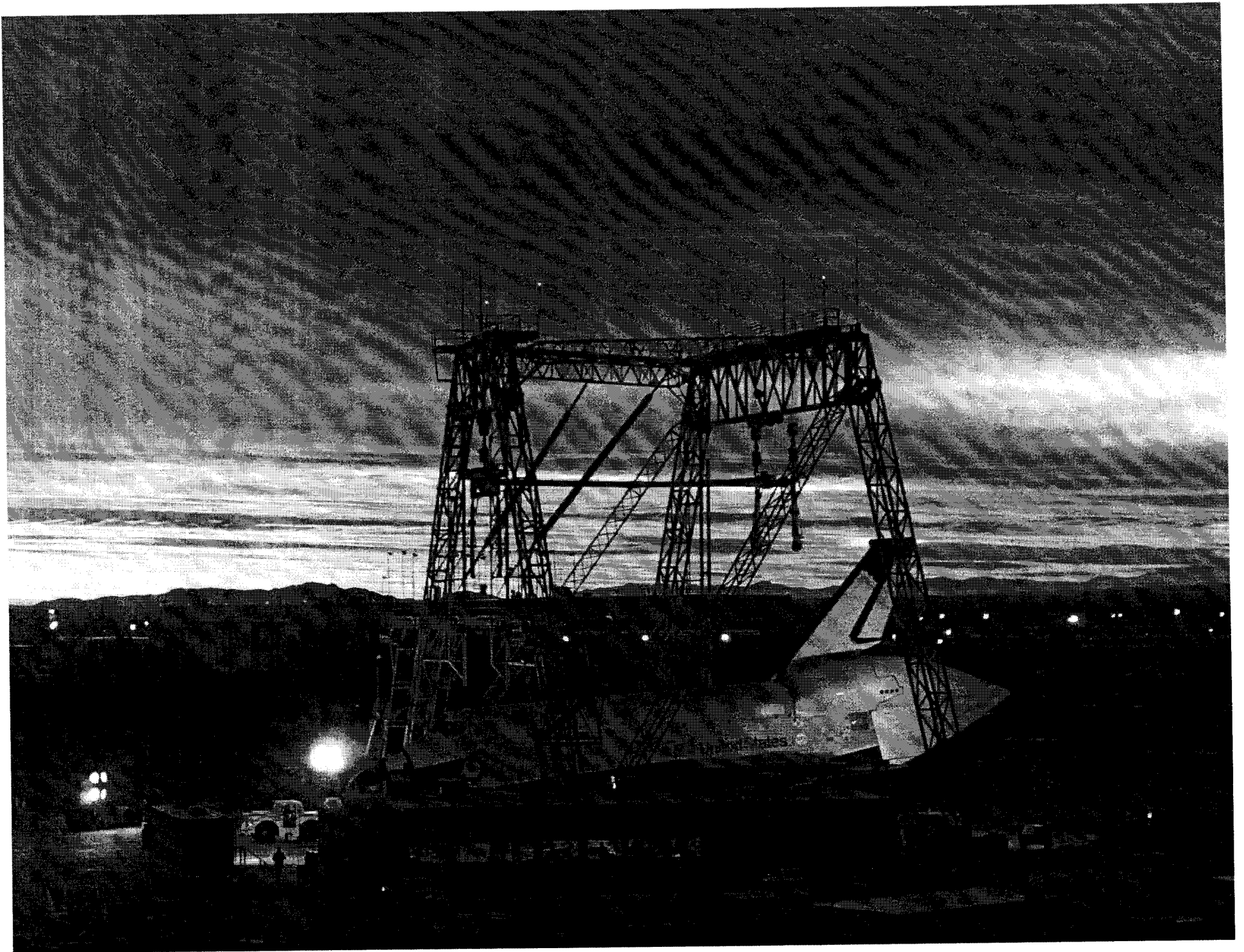


shuttle\_departure.pps



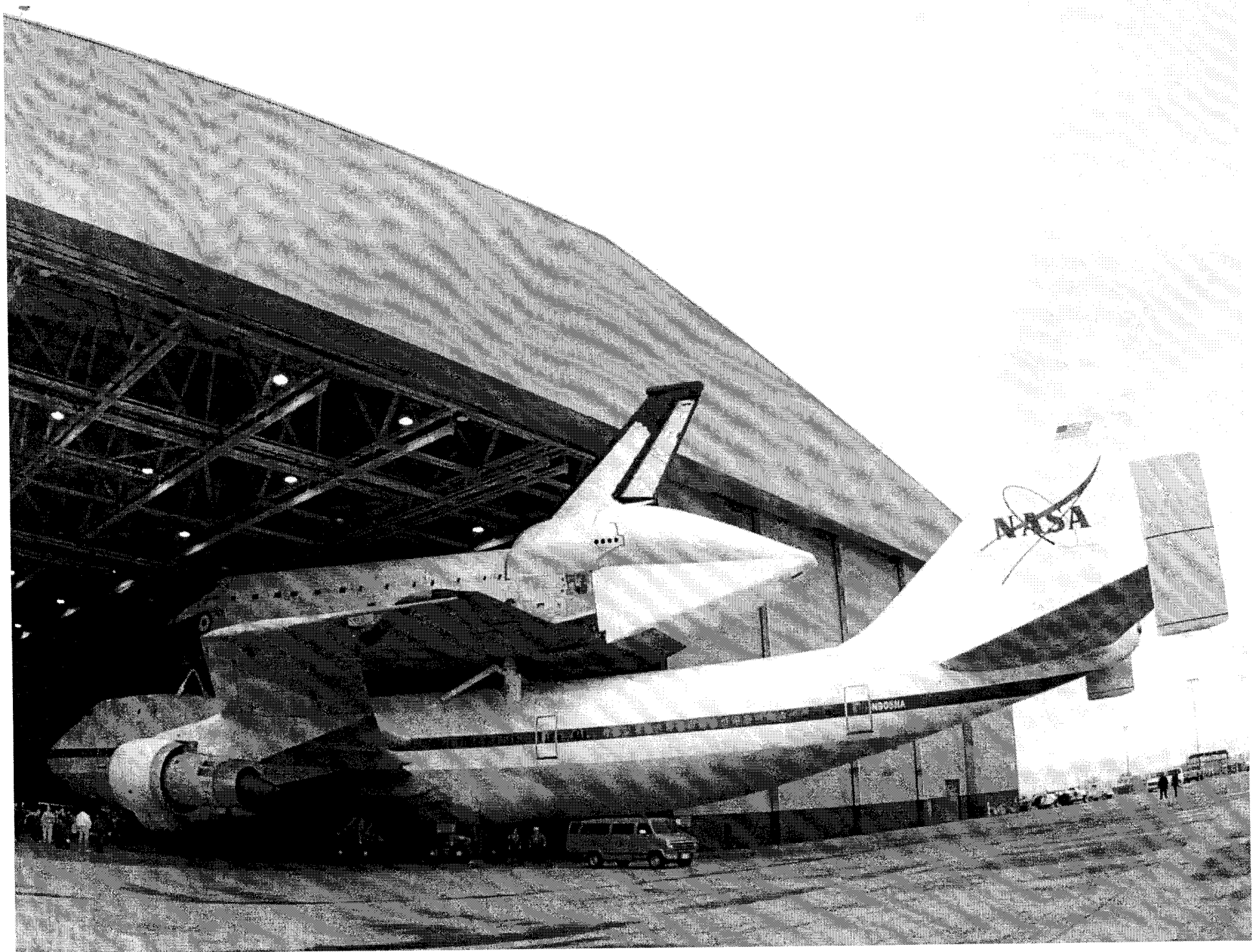






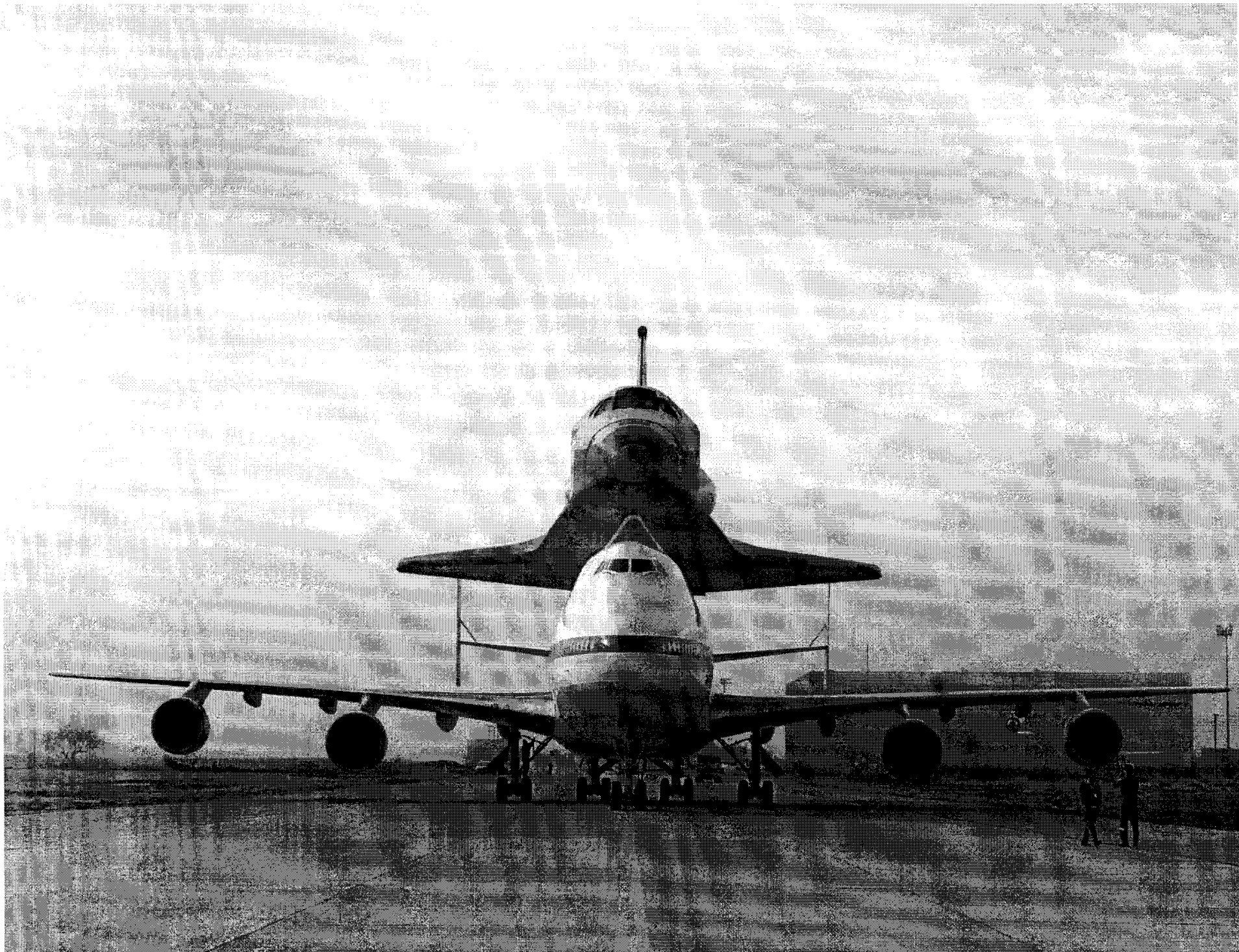




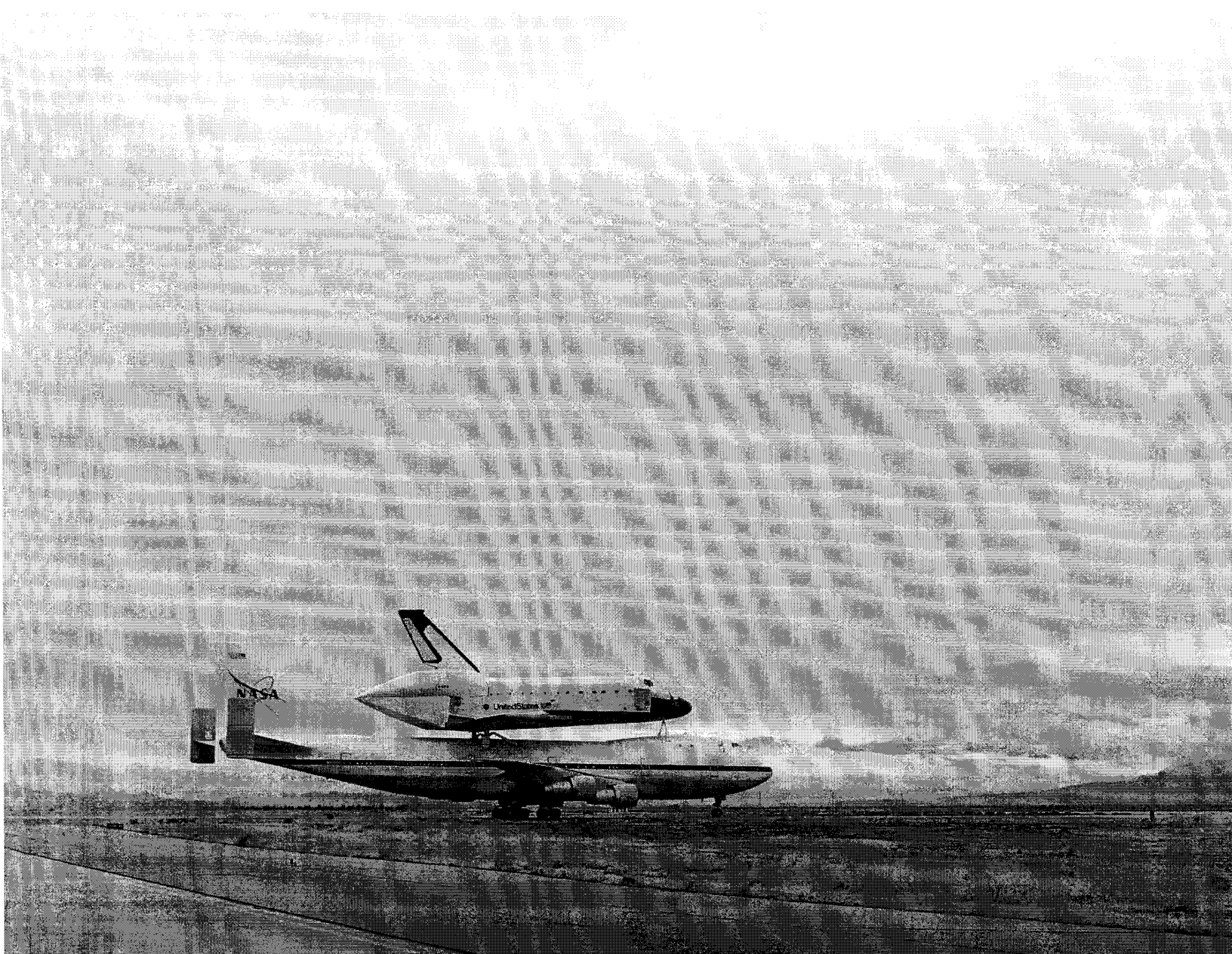




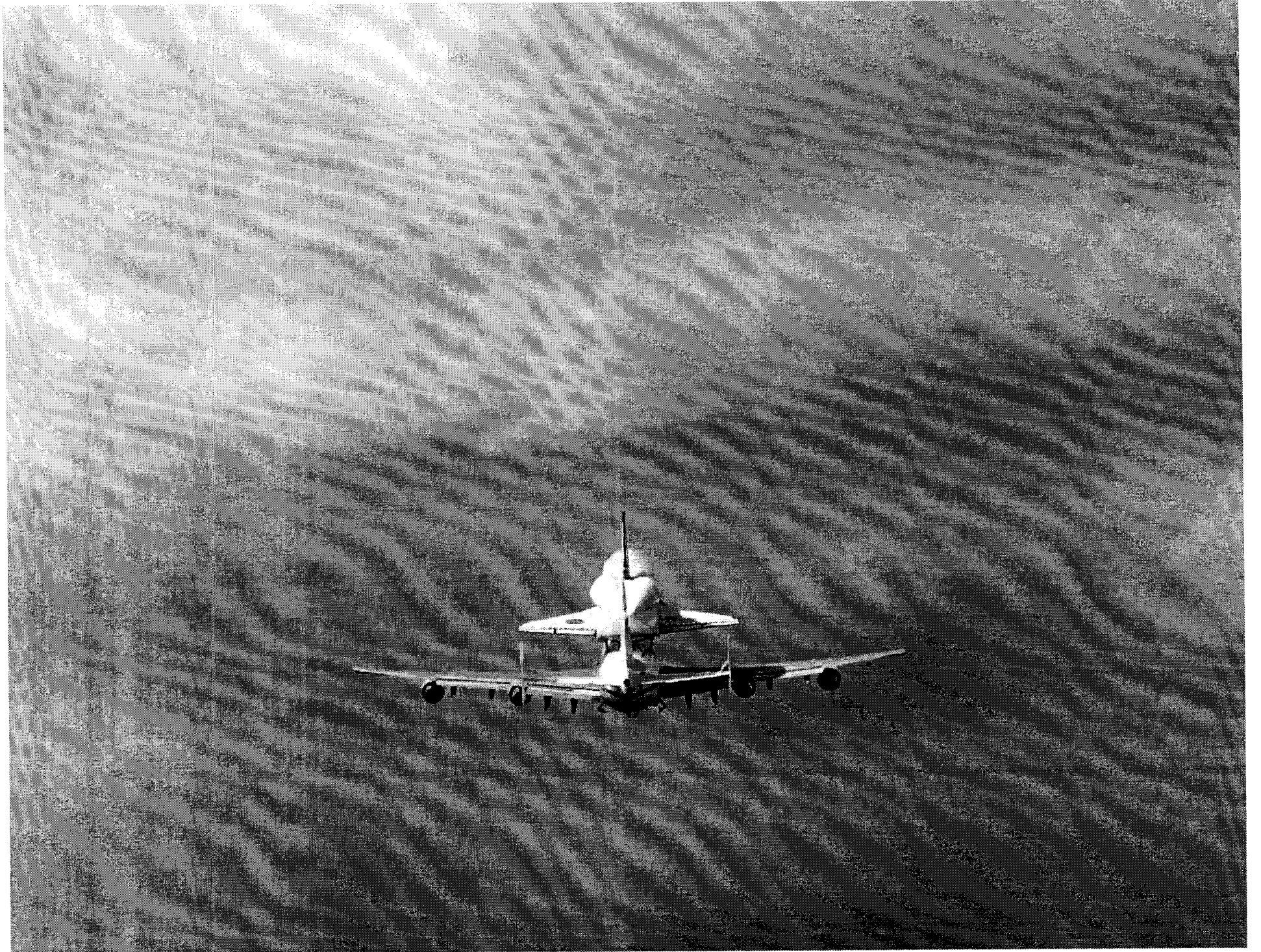




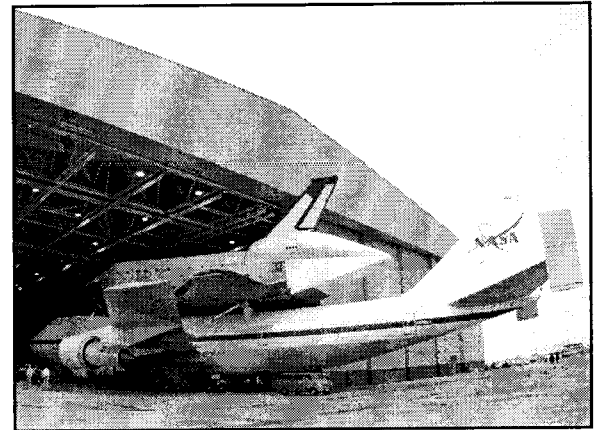
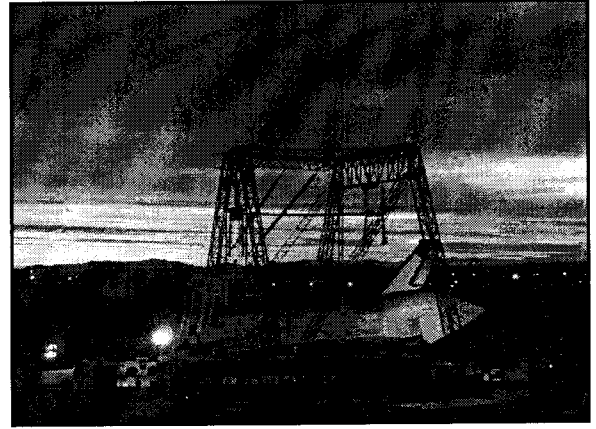
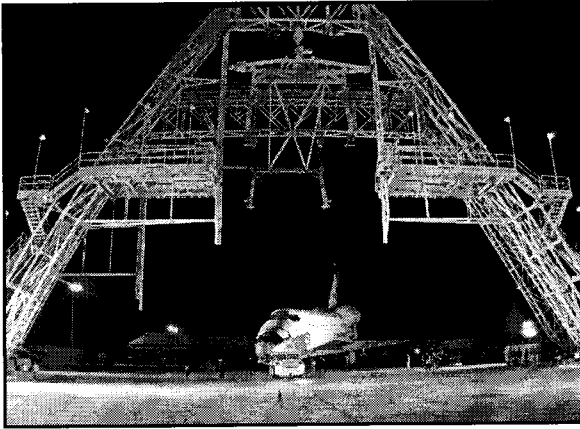
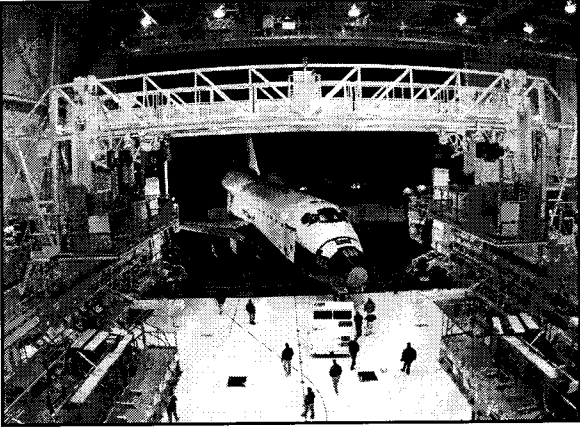


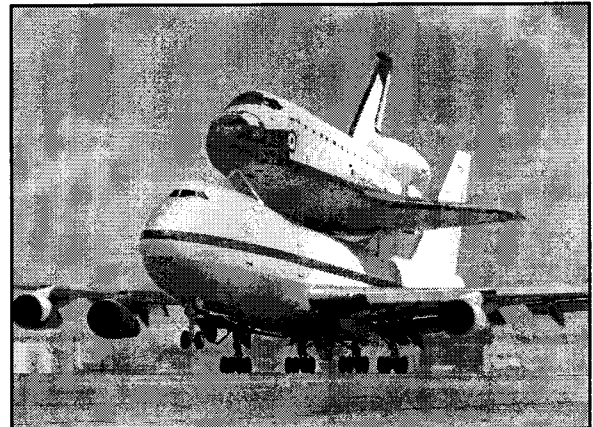
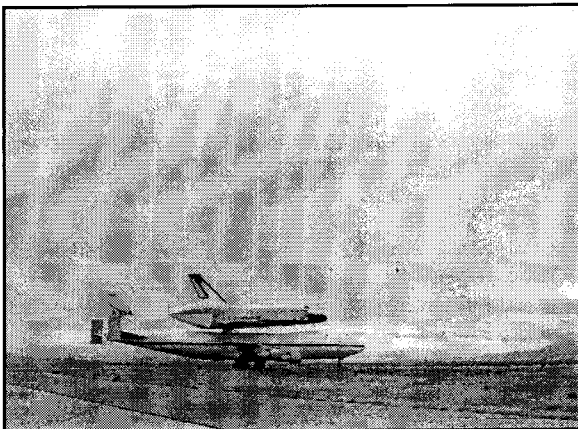
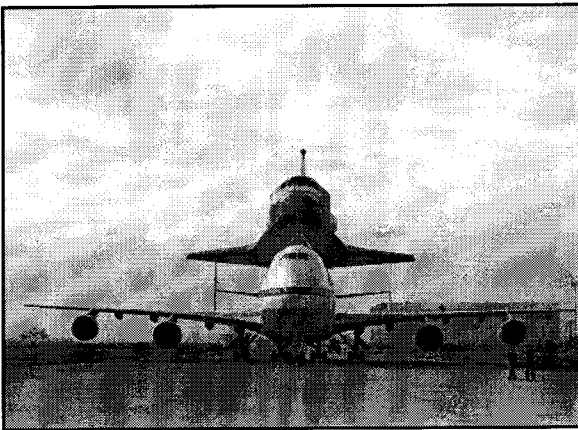


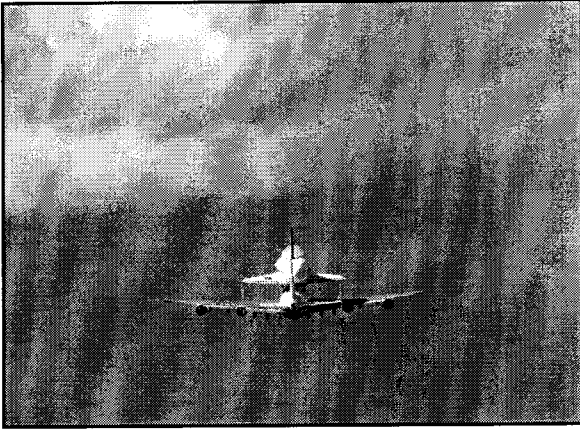












Subject: Shuttle Tiles  
Date: Mon, 3 Feb 2003 17:53:46 -0500  
Thread-Topic: Shuttle Tiles  
Thread-Index: AcLL1xvv3zT+IYvUQl25yyZokRNPAg==  
From: [REDACTED]  
To: [REDACTED]  
"Kathy Ann Kurke (E-mail)" <k.a.kurke@larc.nasa.gov>,  
[REDACTED]

Steve and I were discussing this last night. Also, click on the link at the bottom for more info.

MadSci Network: Engineering

Re: Why are most of the space shuttle tiles white in color?  
Date: Wed Mar 7 01:11:02 2001  
Posted By: [REDACTED]  
[REDACTED]

Area of science: Engineering  
[REDACTED]

Message:

Dear Cheri,

This wasn't an easy question to find information on. I had a hunch about the reasons for the black and white tiles, and I found a NASA website that verified my hunch. However, I don't know any ceramics engineers that may better explain the tiles, so I will try to do my best.

Most people know that black colors will absorb more radiative heat than white will. Everyone knows you wear white clothing on a hot, sunny day to keep cooler. This is because black will absorb more of the light and heat from the sun than white will (White will reflect more of the light and heat). What most people don't know is that the exact opposite is also true, that black will emit more heat than white will! Let me give an example:

Take two baseballs, one is its normal white and another is dyed all black. If they are both heated to the same temperature and you held your hand close to one and then the other, the black one would feel warmer. A temperature gauge would verify the same thing. Although they are the same temperature, there is more radiative heat from the black baseball. (Now this is only true for holding your hand close, not touching. That is a whole different ball game! If hot enough, both can burn you with equal efficiency). This is because the black color of the baseball is able to emit more heat than the white, just like it can absorb more heat than the white.

So, what do hot black and white baseballs have to do with shuttle tiles? Out in space there is no protective atmosphere to protect you from the sun, and while it is very cold in space, if you are hit by all of the rays from the sun, they can warm you up in a hurry! Therefore, tiles that aren't critical for re-entry are white to help reflect the radiative energy from the sun, making the temperature control for the inside of the shuttle a little easier. So that explains the white tiles, they are there to help keep the shuttle cool. (That must sound strange since it is  $-200^{\circ}\text{C}$  and colder in space!) But it is true. Think how the sun can warm you up on a cold winter day!

So then what about the black tiles! Well, their purpose is much different than the others, and very important. They prevent the shuttle from burning up during re-entry into the atmosphere. One of the ways they are able to do this is by dissipating heat rapidly. By getting rid of the heat as it builds up, you collect less of a total heat build up. These tiles get rid of heat so fast, that you can pick up a tile with your bare hand seconds after it being removed from the oven, even with the center still glowing red hot! Part of this heat dissipation comes from the radiative emittance from the black colored tile.

So there you have it, part of the reason for the different color tiles. (There may be more that I don't know about!). All of this information was gleaned from the following NASA website. The content is a little jargon laden so I hope that my explanation helps. However, there is a ton of information here about the Thermal Protection System for the shuttle:

[http://science.ksc.nasa.gov/shuttle/technology/sts-newsref/sts\\_sys.html#sts](http://science.ksc.nasa.gov/shuttle/technology/sts-newsref/sts_sys.html#sts)

X-Sender: rstephen@mail.hq.nasa.gov  
X-Mailer: QUALCOMM Windows Eudora Version 4.3.2  
Date: Tue, 04 Feb 2003 07:57:52 -0500  
To: ken.human@ssc.nasa.gov, thowell@nmo.jpl.nasa.gov,  
mwinchel@ems.jsc.nasa.gov, william.a.hicks@msfc.nasa.gov,  
smauldin@mail.arc.nasa.gov, lawrence.watson@gsfc.nasa.gov,  
k.a.kurke@larc.nasa.gov, john.w.sikora@lerc.nasa.gov,  
david.samuels@mail.dfrc.nasa.gov, bruce.anderson-1@ksc.nasa.gov  
From: Robert Stephens <rstephen@hq.nasa.gov>  
Subject: Fwd: Re: SPACE SHUTTLE CHILDREN'S FUND  
Cc: PPastore@hq.nasa.gov

FYI, and any action as appropriate.

From: PPastore@hq.nasa.gov  
Subject: Re: SPACE SHUTTLE CHILDREN'S FUND  
Date: Tue, 4 Feb 2003 07:54:41 -0500  
To: broan@hq.nasa.gov  
Cc: rstephen@hq.nasa.gov  
X-MIMETrack: Serialize by Router on bes1/HQ/NASA(Release 5.0.11 |July 24, 2002)  
at 02/04/2003  
07:54:43 AM

Bernie,

I have concluded that we should not mention, promote or otherwise reference any charitable fund. It is a slippery slope to do otherwise.

Bob, please make sure that all Chiefs get this message.

Paul

Duf

X-Sender: w.t.mcmurry@larc.nasa.gov

X-Mailer: QUALCOMM Windows Eudora Version 4.3.1

Date: Tue, 04 Feb 2003 16:24:35 -0500

To: k.a.KURKE@larc.nasa.gov

From: Tom McMurry <w.t.mcmurry@larc.nasa.gov>

Subject: General Thoughts Regarding Information Considered by the Board

Cc: K.M.REILLEY@larc.nasa.gov;; j.a.arena@larc.nasa.gov;;

k.e.love@larc.nasa.gov

Kathy - Here are some top level general thoughts regarding information issues for the board. Apparently when Bill requested input, he stressed that he only wanted short and concise bullet type comments that could be compiled and considered by the legal advisor to the board. Here are some fairly top level suggestions geared to simply identify some of the key issues:

1) Much of the information that the board will be considering is information from NASA or other government agencies that might be subject to FOIA requests even if the board itself might not be subject to FOIA. The board should consider this situation before releasing documents received from other agencies.

2) If the board opts to make a discretionary disclosure of information outside the government, that could constitute a waiver of an agency's ability to withhold release of the information under a FOIA exemption. The board should understand that once information is released, its future release cannot be withheld based on an applicable FOIA exemption under a "waiver" concept. That is, release to one individual or entity is release to all. Discretionary release of documents or detailed technical information to an individual or entity at an early stage in the investigation could also impede the board's ability to control the progress, timing and focus of the investigation.

3) Sometimes other statutes and laws preclude discretionary disclosure of information. Examples include the Privacy Act and the Trade Secrets Act that would preclude release of some information about astronauts and information received from private contractors. FOIA Exemption 6 (The "Personal Privacy Interests" Exemption) was the subject of 1990 litigation regarding the Challenger crew. Exemption 6 was used to withhold release of "the last words of the space shuttle Challenger crew, which revealed the sound and inflection of the crew's voices during the last seconds of their lives..." New York Times Co. v. NASA, 920 F2d 1002, 1005 (D.C. Cir 1990).

4) As government employees, including the members of the board, it is a crime, under 18 USC 1905 (The Trade Secrets Act), to disclose "proprietary information" received from

a contractor except as permitted by law (e.g., pursuant to the FOIA process, judicial discovery process or the like).

5) Obviously, it would be inappropriate to release any "classified" information. However, there may also be cause not to release certain unclassified information that could be subject to export controls. Information related to articles listed as Defense Articles within the International Traffic in Arms Regulations (ITAR) generally cannot be released to a non-US citizen, even within the United States, without a license from Dept of State (or a determination that no license is required under an existing exemption). Defense Article Category XV - Space Systems and Associated Equipment restricts disclosure of technical data applicable to "Spacecraft (including communications satellites, remote sensing satellites, scientific satellites, research satellites, navigation satellites, experimental and multi-mission satellites), Ground Control Stations for telemetry, tracking and control of spacecraft...and certain GPS Receiving Equipment." An export control advisor should review technical data related to such equipment to determine its releasability.

6) In general, the board will not run afoul of any of the above limitations by publicly referencing to the existence of documents...but the board should carefully consider implications based on the above before discussing the technical information or data within documents that may be subject to limitations on release.



X-Sender: wbierbow@mail.hq.nasa.gov  
X-Mailer: QUALCOMM Windows Eudora Version 4.3.2  
Date: Wed, 05 Feb 2003 10:35:41 -0500  
To: Kathy Ann Kurke <k.a.kurke@larc.nasa.gov>  
From: William Bierbower <wbierbow@hq.nasa.gov>  
Subject: Re: Release of documents and information  
Cc: jsteptoe@hq.nasa.gov

thank you, Kathy, for these helpful and rapidly assembled insights, and thanks to your team of attorneys who immediately accepted our request for assistance.

As you know, things are moving quickly here -- I will keep you informed of developments re FOIA that are not discussed in your daily telecons with Paul.

Bill

At 04:54 PM 2/4/2003 -0500, you wrote:

As I understand your request to my folks, you have asked for a list of top level thoughts for Bill Sikora as his group advises the Admiral and his team regarding FOIA as well as general release of documents and information. Tom McMurry, Karen Reilley, and Jon Arena all put their heads together and came up with the following:

First - the team is comprised of Federal employees - so they are acquiring this information within the scope of their employment. That fact is relevant to most of the following thoughts:

- 1) Much of the information that the board will be considering is information from NASA or other government agencies that might be subject to FOIA requests even if the board itself might not be subject to FOIA. The board should consider this situation before releasing documents received from other agencies.
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Dup

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7) Some of the information provided to the board could relate to new technology and inventions by NASA or its contractors. Both NASA and its contractors could face difficulty in pursuing patents on such new technology if technical information describing it is prematurely disclosed to the public. This is one of the areas where the board should carefully avoid making discretionary releases that could bring harm to a private company or to NASA.

8) Some of the information provided to the board could relate to technology or inventions that NASA uses subject to license agreements from contractors. Under such license agreements, NASA has the ability to use the inventions or technology only for government purposes. Such license agreements would not permit release of underlying technical data for non-government purposes.

Finally - You asked us to consider whether we/NASA could be liable for the board's release of information under certain circumstances.

We have not fully researched the question in the limited time we have had to get back to you. But in the meantime we felt that we could feel that we could minimize the potential for liability if the Centers alert the board to the existence of contractor proprietary information within information that we provide to the board - along with an explanation that under FOIA we are required to notify the contractors and consider their responses prior to release of such information. We will continue to research this issue if you so desire.

I will talk to you at 5:00 PM  
Kathy

Kathy Ann Kurke  
Chief Counsel  
NASA Langley Research Center

---

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Hampton, VA 23681-0001

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FAX: (757) 864-8296

X-Sender: wbierbow@mail.hq.nasa.gov  
X-Mailer: QUALCOMM Windows Eudora Version 4.3.2  
Date: Wed, 05 Feb 2003 18:38:18 -0500  
To: Kathy Ann Kurke <k.a.kurke@larc.nasa.gov>  
From: William Bierbower <wbierbow@hq.nasa.gov>  
Subject: Re: Release of documents and information  
Cc: jsteptoe@hq.nasa.gov

sorry for the delay in responding to your message. As you can see by e-mails, this is nearing resolution, per the draft memo I sent you.

Re the FOIA legal team, we are keeping HQ PAO informed, and they are informing their folks at the Centers. Bob joined a PAO telecon this afternoon to explain the draft policy, which seemed acceptable to all the Center PAO/FOIA offices. If this is insufficient, we can see about adding PAO folks to the team.

Bill

At 10:47 AM 2/5/2003 -0500, you wrote:

Thanks. Did the meeting with Paul after the Chief Counsel briefing last night lead to any particular language you all want us to use regarding filing of FOIA requests? I am going to send out an email today reminding people that all requests for documents by 3rd parties should be processed through the FOIA office. I am also going to advise that this does not, of course, apply to requests from the investigation boards. Those should be provided immediately and without hesitation.

Can I assume that your HQ FOIA group includes the non-lawyer FOIA folks? I certainly need to keep my FOIA officer in the Public Affairs Office aware of any decisions you all are making. Otherwise we may find ourselves working at odds with each other.

Kathy

At 10:35 AM 2/5/2003 -0500, you wrote:

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Kathy

Dup

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Phone: (757) 864-3221  
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Phone: (757) 864-3221  
FAX: (757) 864-8296

To: OCC - all  
From: Kathy Ann Kurke <k.a.kurke@larc.nasa.gov>  
Subject: Fwd: Re: SPACE SHUTTLE CHILDREN'S FUND  
Cc:  
Bcc:  
Attached:

FYI  
Kathy

X-Sender: rstephen@mail.hq.nasa.gov  
X-Mailer: QUALCOMM Windows Eudora Version 4.3.2  
Date: Tue, 04 Feb 2003 07:57:52 -0500  
To: ken.human@ssc.nasa.gov, thowell@nmo.jpl.nasa.gov,  
mwinchel@ems.jsc.nasa.gov, william.a.hicks@msfc.nasa.gov,  
smauldin@mail.arc.nasa.gov, lawrence.watson@gsfc.nasa.gov,  
k.a.kurke@larc.nasa.gov, john.w.sikora@lerc.nasa.gov,  
david.samuels@mail.dfrc.nasa.gov, bruce.anderson-1@ksc.nasa.gov  
From: Robert Stephens <rstephen@hq.nasa.gov>  
Subject: Fwd: Re: SPACE SHUTTLE CHILDREN'S FUND  
Cc: PPastore@hq.nasa.gov

FYI, and any action as appropriate.

From: PPastore@hq.nasa.gov  
Subject: Re: SPACE SHUTTLE CHILDREN'S FUND  
Date: Tue, 4 Feb 2003 07:54:41 -0500  
To: broan@hq.nasa.gov  
Cc: rstephens@hq.nasa.gov  
X-MIMETrack: Serialize by Router on bes1/HQ/NASA(Release 5.0.11 |July 24, 2002) at  
02/04/2003  
07:54:43 AM

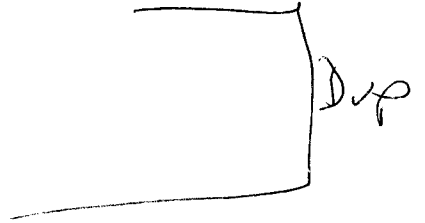
Bernie,

I have concluded that we should not mention, promote or otherwise reference  
any charitable fund. It is a slippery slope to do otherwise.

Bob, please make sure that all Chiefs get this message.



Paul



Kathy Ann Kurke  
Chief Counsel  
NASA Langley Research Center

---

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Phone: (757) 864-3221  
FAX: (757) 864-8296

To: "Barbara I. Haga" <B.I.Haga@larc.nasa.gov>  
From: Kathy Ann Kurke <k.a.kurke@larc.nasa.gov>  
Subject: Re: Changes to Survey Briefing Schedule  
Cc:  
Bcc:  
Attached:

Barbara:

I will attend- but will be late. Both Alan Phillips and I attend daily meetings on the Shuttle incident - led by Del at 8:30 AM. I will come afterwards if that is okay (the length of the meeting is variable, as you might imagine). Do you mind if I send someone else for awhile? Shawn is at MIP - so it will be one of my team leads.

Kathy

At 03:48 PM 2/3/2003 -0500, you wrote:

*(Addressed to OUM's, Deputies, Branch Heads, and Staff Assistants)*

Given the events of the weekend, adjustments have been made to the planned survey briefing schedule originally set to be completed this week.

Dates have been changed in Meeting Maker, but the following is being sent to ensure that everyone is aware of adjustments to other sessions that may affect those in their organizations. The new schedule is:

Thursday, 2/6	8:30 to 11:30	Business OUM's	Reid
Center, Hampton Room			
Thursday, 2/6	2:00 to 5:00	R&T Comp Directors/Deputies & AK	
"			
Friday, 2/7	8:30 to 11:30	Business Deputies and Branch Heads	
"			
Friday, 2/7	1:30 to 4:30	Programs Directors, Deputies,	
subordinate supvs & AJ	"		
Wednesday, 2/19	8:30 to 11:30	R&T Branch Heads & Assts - RB	
TBD			
Wednesday, 2/19	1:30 to 4:30	R&T Branch Heads & Assts - RA and RC	
TBD			

Thursday, 2/20                   8:30 to 11:30 R&T Branch Heads & Assts - RD and RE  
                  TBD  
Thursday, 2/20                   1:30 to 4:30            R&T Branch Heads & Assts - RF  
                  TBD

To summarize, the Tuesday (2/4) schedule was moved to Thursday, 2/6; the Friday schedule, 2/7, remains the same; and the scheduled briefings for R&T Branch Heads and their Assistants moved back two weeks to Wednesday and Thursday, 2/19 and 2/20. This allows us to complete all of the OUM-level briefings this week.

As you can see, we are in the process of finding a location for the sessions on 2/19 and 2/20. As soon as we are able to find a location, we will update Meeting Maker.

Thank you for your patience as we work through these adjustments.

Barbara Haga

Barbara I. Haga  
Head, Employee and Organizational  
Development Branch  
(757) 864-9634  
fax (757) 864-8543

Have feedback on OHR services? Visit <http://ohr.larc.nasa.gov/index.html>

Kathy Ann Kurke  
Chief Counsel  
NASA Langley Research Center

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Hampton, VA 23681-0001

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To: Bill Bierbower, Jay Steptoe  
From: Kathy Ann Kurke <k.a.kurke@larc.nasa.gov>  
Subject: Release of documents and information  
Cc: Bob Stephens  
Bcc:  
Attached:

As I understand your request to my folks, you have asked for a list of top level thoughts for Bill Sikora as his group advises the Admiral and his team regarding FOIA as well as general release of documents and information. Tom McMurry, Karen Reilley, and Jon Arena all put their heads together and came up with the following:

First - the team is comprised of Federal employees - so they are acquiring this information within the scope of their employment. That fact is relevant to most of the following thoughts:

- 1) Much of the information that the board will be considering is information from NASA or other government agencies that might be subject to FOIA requests even if the board itself might not be subject to FOIA. The board should consider this situation before releasing documents received from other agencies.
- 2) If the board opts to make a discretionary disclosure of information outside the government, that could constitute a waiver of an agency's ability to withhold release of the information under a FOIA exemption. The board should understand that once information is released, its future release cannot be withheld based on an applicable FOIA exemption under a "waiver" concept. That is, release to one individual or entity is release to all. Discretionary release of documents or detailed technical information to an individual or entity at an early stage in the investigation could also impede the board's ability to control the progress, timing and focus of the investigation.
- 3) Sometimes other statutes and laws preclude discretionary disclosure of information. Examples include the Privacy Act and the Trade Secrets Act that would preclude release of some information about astronauts and information received from private contractors. FOIA Exemption 6 (The "Personal Privacy Interests" Exemption) was the subject of 1990 litigation regarding the Challenger crew. Exemption 6 was used to withhold release of "the last words of the space shuttle Challenger crew, which revealed the sound and inflection of the crew's voices during the last seconds of their lives..." New York Times Co. v. NASA, 920 F2d 1002, 1005 (D.C. Cir 1990).
- 4) As government employees, including the members of the board, it is a crime, under 18

Dup

USC 1905 (The Trade Secrets Act), to disclose "proprietary information" received from a contractor except as permitted by law (e.g., pursuant to the FOIA process, judicial discovery process or the like).

5) Obviously, it would be inappropriate to release any "classified" information. However, there may also be cause not to release certain unclassified information that could be subject to export controls. Information related to articles listed as Defense Articles within the International Traffic in Arms Regulations (ITAR) generally cannot be released to a non-US citizen, even within the United States, without a license from Dept of State (or a determination that no license is required under an existing exemption). Defense Article Category XV - Space Systems and Associated Equipment restricts disclosure of technical data applicable to "Spacecraft (including communications satellites, remote sensing satellites, scientific satellites, research satellites, navigation satellites, experimental and multi-mission satellites), Ground Control Stations for telemetry, tracking and control of spacecraft...and certain GPS Receiving Equipment." An export control advisor should review technical data related to such equipment to determine its releasability.

6) In general, the board will not run afoul of any of the above limitations by publicly referencing to the existence of documents...but the board should carefully consider implications based on the above before discussing the technical information or data within documents that may be subject to limitations on release.

7) Some of the information provided to the board could relate to new technology and inventions by NASA or its contractors. Both NASA and its contractors could face difficulty in pursuing patents on such new technology if technical information describing it is prematurely disclosed to the public. This is one of the areas where the board should carefully avoid making discretionary releases that could bring harm to a private company or to NASA.

8) Some of the information provided to the board could relate to technology or inventions that NASA uses subject to license agreements from contractors. Under such license agreements, NASA has the ability to use the inventions or technology only for government purposes. Such license agreements would not permit release of underlying technical data for non-government purposes.

Finally - You asked us to consider whether we/NASA could be liable for the board's release of information under certain circumstances.

We have not fully researched the question in the limited time we have had to get back to you. But in the meantime we felt that we could minimize the potential for liability if the Centers alert the board to the existence of contractor proprietary

Dup

information within information that we provide to the board - along with an explanation that under FOIA we are required to notify the contractors and consider their responses prior to release of such information. We will continue to research this issue if you so desire.

I will talk to you at 5:00 PM  
Kathy

**Kathy Ann Kurke**

**Chief Counsel**

**NASA Langley Research Center**

Dup

---

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Hampton, VA 23681-0001

To: William Bierbower <wbierbow@hq.nasa.gov>  
From: Kathy Ann Kurke <k.a.kurke@larc.nasa.gov>  
Subject: Re: Release of documents and information  
Cc:  
Bcc:  
Attached:

*Entire message is a duplicate (all stapled pages)*

Thanks. Did the meeting with Paul after the Chief Counsel briefing last night lead to any particular language you all want us to use regarding filing of FOIA requests? I am going to send out an email today reminding people that all requests for documents by 3rd parties should be processed through the FOIA office. I am also going to advise that this does not, of course, apply to requests from the investigation boards. Those should be provided immediately and without hesitation.

Can I assume that your HQ FOIA group includes the non-lawyer FOIA folks? I certainly need to keep my FOIA officer in the Public Affairs Office aware of any decisions you all are making. Otherwise we may find ourselves working at odds with each other.

Kathy

At 10:35 AM 2/5/2003 -0500, you wrote:

thank you, Kathy, for these helpful and rapidly assembled insights, and thanks to your team of attorneys who immediately accepted our request for assistance.

As you know, things are moving quickly here -- I will keep you informed of developments re FOIA that are not discussed in your daily telecons with Paul.

Bill

At 04:54 PM 2/4/2003 -0500, you wrote:

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I will talk to you at 5:00 PM  
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Kathy Ann Kurke  
Chief Counsel  
NASA Langley Research Center

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Office of Chief Counsel

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**Kathy Ann Kurke**

**Chief Counsel**

**NASA Langley Research Center**

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Hampton, VA 23681-0001

To: C.W.CLEGHORN@LaRC.NASA.GOV  
From: Kathy Ann Kurke <k.a.kurke@larc.nasa.gov>  
Subject: Fwd: Re: Release of documents and information  
Cc: Mike Finneran, Tom McMurry  
Bcc:  
Attached:

Cheryl:

FYI. As soon as I learn anything else - I will let you know.

FYI - Bill Bierbower is the HQ lawyer that is working a FOIA team in Code G. Tom McMurry will be our POC.

Kathy

Date: Wed, 05 Feb 2003 10:47:09 -0500  
To: William Bierbower <wbierbow@hq.nasa.gov>  
From: Kathy Ann Kurke <k.a.kurke@larc.nasa.gov>  
Subject: Re: Release of documents and information

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Chief Counsel  
NASA Langley Research Center

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Received: from post.larc.nasa.gov (post-a.larc.nasa.gov [192.168.252.45])  
by express.larc.nasa.gov (posvr5.0) with ESMTP id OAA17153;  
Wed, 5 Feb 2003 14:17:58 -0500 (EST)  
Received: from occchief.larc.nasa.gov (occchief.larc.nasa.gov [128.155.39.72])  
by post.larc.nasa.gov (pohub4.6) with ESMTP id OAA03578;  
Wed, 5 Feb 2003 14:17:39 -0500 (EST)  
Message-Id: <5.0.2.1.2.20030205141731.0337bbe8@express.larc.nasa.gov>  
X-Sender: k.a.kurke@express.larc.nasa.gov  
X-Mailer: QUALCOMM Windows Eudora Version 5.0.2  
Date: Wed, 05 Feb 2003 14:17:37 -0500  
To: K.E.LOVE@larc.nasa.gov, C.A.POLEN@larc.nasa.gov, d.s.drabeck@larc.nasa.gov,  
K.L.S.SMITH@larc.nasa.gov, S.T.GALLAGHER@larc.nasa.gov,  
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S.S.SEWARD@larc.nasa.gov, J.A.ARENA@larc.nasa.gov,  
L.B.BLACKBURN@larc.nasa.gov  
From: Kathy Ann Kurke <k.a.kurke@larc.nasa.gov>  
Subject: Fwd: NMO 02.12.03wklyrpt  
Mime-Version: 1.0  
Content-Type: multipart/alternative;  
boundary="=====192077512==\_ALT"  
X-UIDL: 19be10caaad75c5bd2deae455153bc83

From: "Timothy S. Howell" <THowell@nmo.jpl.nasa.gov>  
To: "'Robert Stephens'" <rstephen@hq.nasa.gov>,  
" 'ppastore@hq.nasa.gov' "  
<ppastore@hq.nasa.gov>,  
Robert Parker <RParker@nmo.jpl.nasa.gov>  
Cc: "'mwinchel@ems.jsc.nasa.gov'" <mwinchel@ems.jsc.nasa.gov>,  
" 'william.a.hicks@msfc.nasa.gov'" <william.a.hicks@msfc.nasa.gov>,  
" 'lawrence.watson@gssc.nasa.gov'" <lawrence.watson@gssc.nasa.gov>,  
" 'k.a.kurke@larc.nasa.gov'" <k.a.kurke@larc.nasa.gov>,  
" 'john.w.sikora@lerc.nasa.gov'" <john.w.sikora@lerc.nasa.gov>,  
" 'david.samuels@mail.dfrc.nasa.gov'" <david.samuels@mail.dfrc.nasa.gov>,  
" 'bruce.anderson-1@ksc.nasa.gov'" <bruce.anderson-1@ksc.nasa.gov>,  
" 'ssc.legal.office@ssc.nasa.gov'" <ssc.legal.office@ssc.nasa.gov>,  
" 'sally.o.mauldin@nasa.gov'" <sally.o.mauldin@nasa.gov>  
Subject: NMO 02.12.03wklyrpt  
Date: Wed, 5 Feb 2003 11:02:10 -0800  
X-Mailer: Internet Mail Service (5.0.1461.28)

> -----  
> From: Timothy S. Howell  
> Sent: Wednesday, January 29, 2003 3:25 PM  
> To: 'Robert Stephens'; 'ppastore@hq.nasa.gov'; Robert Parker  
> Cc: 'mwinchel@ems.jsc.nasa.gov'; 'william.a.hicks@msfc.nasa.gov';  
> 'lawrence.watson@gssc.nasa.gov'; 'k.a.kurke@larc.nasa.gov';  
> 'john.w.sikora@lerc.nasa.gov'; 'david.samuels@mail.dfrc.nasa.gov';  
> 'bruce.anderson-1@ksc.nasa.gov'; 'ssc.legal.office@ssc.nasa.gov';  
> 'sally.o.mauldin@nasa.gov'  
> Subject: NMO 01.029.03wklyrpt  
>  
>



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NASA Management Office  
Weekly Report  
Significant Legal Activities

February 5, 2003

Columbia Accident Investigation: The NMO Chief Counsel is participating as necessary to help facilitate Columbia accident investigation activities. Coordinating actions were taken with regard to Code S, JPL, Caltech, and the local office of the OIG.

Code J Sponsored Realty Assessment Team Visit: The NMO Chief Counsel participated in a meeting on February 2nd with representatives from Staubach, a worldwide real estate services firm. Staubach is being sponsored by Code JX to assist in the development of a new business plan for realty across NASA and to assess revenue enhancement opportunities. The Staubach team indicated it may contract the NMO for a follow-up meeting to discuss "unique features" of JPL.

> JPL CERCLA Site: The NMO Chief Counsel prepared or coordinated the  
> development of various briefing materials about the JPL CERCLA program for  
> Code G and other senior managers at HQ. Further discussions and  
> additional coordination efforts are planned.

>  
>  
>

Kathy Ann Kurke  
Chief Counsel  
NASA Langley Research Center

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## LaRC Office of Chief Counsel Weekly Activity Report – February 5, 2003

### CONTRACT & FISCAL

**Columbia Disaster:** Overall coordination of center legal response, participation in tag-up sessions with center team, General Counsel, and center chief counsels (Kurke); POC for NASA FOIA team and legal review for center actions (McMurry); prepared center director memo to employees on information handling, assistance to investigation, and employee assistance (Kurke/McMurry); advice to JSC OCC on USAF death procedures (Mark); advise to Langley Exchange that MWR donation to Salvation Army on behalf of NASA employees in gratitude for recovery support was appropriate (Polen)

**SAA on Army Aviation:** Reviewed Space Act Agreement with U.S. Army Materiel Command and provided suggested modifications (McMurry)

**Hotel Reservation Letter of Intent:** Reviewed proposed letter of intent to Nevada resort to hold reservations for 60 NASA personnel attending test evaluation to ensure no agency liability for variations (McMurry/Love).

**ROME:** Continued advice to Procurement on issues surrounding ROME solicitation for consolidation of existing research operations, maintenance and engineering support (Mark)

**Wake Vortex project:** Reviewed of draft statement of work, on contract for critical technology thrusts for the future air transportation system (Mark)

**Aerodyne:** Reviewed and revised letter of concern to Aerodyne Research, Inc., concerning their failure to perform a timely Critical Design Review (Arena)

**Tunnel vision:** Discussed fate of Low Turbulence Pressure and 14' x 22' tunnels; and potential cooperative efforts with private industry and universities to share costs (Love/Arena).

**Bankruptcies:** reviewed notices of bankruptcy from Buckeye Steel, Genuity, and FAXON, to determine impact on center procurement actions (Arena).

**MIPR vs. MOA:** provided advice on appropriate instrument to use to transfer funds to another Federal agency to purchase services, such as reimbursing the Air Force for use of a test range (Reilley)

**Preventative Law:** Conducted center presentation on sensitive information in procurements (Arena); continued work on presentation on "Funding NASA Contracts (Arena/All); finished contributions to Debriefing team presentation (McMurry)

### HUMAN RESOURCES AND ETHICS

**Liaison to State Advisory Board:** Provided ethics advice to Associate Director Doug Dwoyer, advising that service as NASA liaison to Virginia's Commonwealth Graduate Engineering Program (CGEP) board was appropriate (Wilson).

**Off site work:** Provided written opinion to the NIA Management Office concerning restrictions on the duties that NASA employees working at NIA may appropriately perform in furtherance of cooperative agreement with the institute (Goetzke/Love).

**Misuse of Computers:** Continuing work on at least three personnel actions concerning misuse of Government computers (Seward).

**Probable Settlement:** Settlement agreement in EEO case of alleged discrimination in non-promotion of former NASA engineer awaiting final signature by complainant.

**Old Bills:** Research into whether NASA may reimburse manager for professional liability insurance premiums from three years ago (Wilson).

**Privacy issue** Provided advice to OCIO on handling of inadvertent disclosure on the Internet of personal information of one or more Langley employees by IFMP training materials; gave guidance on investigating scope and nature of disclosure; responded to concerns of affected NASA employee (Goetzke)

**Hurry Back:** Discussions with LaRC Travel office concerning unusual limitations on use of leave in conjunction with foreign travel; restrictions appear to be NASA HQ-imposed (Goetzke).

**Routine matters:** Reviewed slew of outside employment requests; reimbursable travel issues; center procedures (Polen/Wilson/Goetzke).

### OTHER ACTIONS

**Service Charge Restructuring:** Provided response to center tiger team on reducing G&A service charges, commenting on ramifications of reducing and/or outsourcing legal services (Kurke/Blackburn/Goetzke/Mark).

**Training:** Shawn Gallagher successfully learned about Managing the Influence Process, at Wallops.

{1240.01 L0004262.v1 }

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JB-52

WEEKLY ACTIVITY REPORT  
OFFICE OF THE GENERAL COUNSEL ~ January 30, 2003

This report period, Code G logged in 34 incoming actions and closed 35.

**CODE GG**

- Coordinated Agency's response to OMB about DoD oversight testimony before CA Legislature on perchlorate. (Batkin)
- Filed a Motion for Decision Without a Hearing in EEOC case. In Motion, argued that there was no evidence that the Agency discriminated against Complainant on the basis of age and disability when he was not selected by operation of the reemployment priority list rules for a job at SSC. Filed supplemental evidence: OPM letter and affidavit from Stennis HR, indicating that the selectee was 51 at the time of selection and had been on OPM disability rolls at the time of selection. (Feinberg)
- Advised HQ Financial Management Division on the Agency's legal obligations to process employees' travel vouchers within 30 days of receipt of a proper voucher and to pay late payment fees to the extent the Agency does not complete processing within 30 days. (Giza)
- Advised Code P on the propriety of a local radio station's proposed tribute to Fred Gregory's achievements in celebration of Black History Month. (Giza)
- Advised Codes B and J on the effect that proposed FY '04 appropriations bill language would have on the Agency's environmental compliance and restoration activities, and drafted alternative language to resolve potential problems. (Giza)
- Reviewed and advised Code CP on an Intergovernmental Personnel Agreement for a proposed new Code N official. (Giza)
- Provided legislative drafting assistance to Code F to revise a NASA proposed legislative provision on streamlined demonstration program authority to address issues and concerns raised by Congressional staff. (Giza)
- Drafted two WAG approval letters. (Thomas)
- Received FOIA litigation package and contacted FOIA litigation office at DoJ. Provided notice to FOIA officer and will pass package on to Code GS for further action. (Thomas)
- Met with Code E to discuss Agency response to an F2M proposal. (Codes E and G were action offices.) Submitter states that Agency settles too many marginal EO and personnel cases. Submitter also states that Agency has bias towards settling cases that are not substantially supported. Code G received input from three Centers concerning appropriate response to submitter. (Thomas)

**CODE GK**

- On January 29, 2003, NASA will file its Agency Report in response to a GAO protest lodged by Kolaka No'eau, Inc. A decision is due on April 9, 2003. (Salgado)

- Attended a telecon with JSC regarding how Loral, the supplier of the Spare Battery Orbital Replacement Units for ISS affect next contract with Boeing for the ORUs. Boeing wants next contract to contain a clause permitting an equitable adjustment due to any delay of failure to perform was caused by Loral's insolvency or other financial problems. (Lyon)
- Will be attending Center presentations on their ASM charts for SMCDS. Headquarters will be streamlining presentations for the consolidated ASM on 2/25/03. Additionally, other interested codes have been invited to these presentations so that most of the issues can be resolved prior to 2/25/03. (Lyon)

## CODE GP

- Attended a meeting at the Department of Justice, Appellate Division, to provide NASA's views as to whether the United States should support the Supreme Court taking certiorari in Monsanto v. Bayer, 02-197. The issue is whether a nonexclusive patent sublicensee should be afforded the status of a bona fide purchaser for value. NASA's views were that it is very unlikely that the fact pattern of Monsanto would ever arise under a NASA patent license, and that a patent sublicense is merely the grant of a contractual right, whereas the bona fide purchaser rule applies only to situations in which title to property is transferred. Consensus was reached at the meeting that the case would not impact the government, and as such, the United States would recommend that the Supreme Court deny certiorari. (Lupuloff)
- In support of the Education Office, reviewed and provided comments to a draft Space Act Agreement with Pearson Education Inc. on establishing collaboration to create elementary school curriculum related to NASA's Educator Astronaut Program. Provided alternative language for the intellectual property clause to clarify the scope of NASA's license to our partner's works. (Miller)
- In support of Public Affairs and the Nuclear System Program within the Office of Space Flight, performed a trademark search on NASA's proposed project name "Project Prometheus" and provided a likelihood of confusion analysis based on the use of the term by companies currently using it in the nuclear and wind energy generating fields. (Miller, Kennedy)
- In support of Code L, reviewed and provided comment on the Commerce Draft Bill on U.S. Patent and Trademark Office Reauthorization Act, Fiscal 2003. Pointed out the likely effect the proposed fee increase would have on the NASA patent program. (Borda)
- In support of Code R's Commercial Technology Division, attended a meeting of the Center Commercial Technology Office Directors at JSC. Delivered presentation on laws, regulations and policies that requires NASA and other federal agencies to perform technology transfer activities; receive and process reports, monitor activities and assert government rights in new technologies developed under NASA funding agreements; and report to OMB and the Department of Commerce on the Agency's intellectual property management and technology transfer activities. (Borda)
- As Code G's IFM Core Financial POC, budget lead and approving official for G requisitions and credit card purchases, attended 2 instructor led training sessions and 1 web-based training session on the use of new Agencywide financial system software to be implemented at HQ on February 24, 2003. (Borda)
- In support Code YO and GSFC's Geospatial Interoperability Office (GIO), reviewed and approved of NASA's compliance with the Intellectual Property Rights (IPR) Policy of the Open GIS Consortium (OGC) of which NASA is a member. Also reviewed the OGC's IPR Response Form, an agreement intended to insure open access to technologies and/or specifications adopted by OGC. OGC members, including NASA, may be asked to sign IPR Response Forms in connection with submitted technologies and/or specifications.

Approved NASA's use of IPR Response Form in connection with collaborative efforts of NASA and OGC members intended to be made widely available. However, technology and specifications developed independently by NASA and/or NASA contractors must be reviewed first by Center Patent Counsels prior to GIO signing any IPR Response Form. (Borda)

- Working with NASA Scientific and Technical Information (STI) Program Office (Code AO and LaRC) to review drafts of new (replacement versions) of NPD 2200 (Management of NASA STI) and NPG 2200 (Guidelines for Documentation, Approval, and Dissemination of NASA STI), and of NASA STI Special Publication entitled NASA Patent Abstract Bibliography. (Borda)
- Reviewed NPD 1280 (NASA Management System Policy) and NPD 9710.1Q (Delegation of Authority to Authorize TDY on Official Business and Related Matters). Provided GG with comment that no intellectual property law issues were involved. (Borda)
- Reviewed new version 3.2 of NASATechTracS information system, identified problems that will affect patent counsel's use of new version and proposed corrections that will be implemented in upcoming release. (Borda)
- Prepared a speaker consent release document for the Deputy Administrator for a speaking engagement during which he addressed American Veterans at an awards show produced by the Veterans Foundation Inc. in November 2002. (Kennedy, Miller)
- Conducted a trademark search for the renaming of the NASA Microwave Anisotropy Probe (MAP) satellite to honor a late world-renown Princeton professor/cosmologist. Results are still being analyzed. (Kennedy, Miller)

## CODE GS

- Sent to IMAX counsel a revised draft of a NASA-IMAX Letter of Intent to enter an agreement for collaborative production of a new large format 3D film on the ISS. Also attended JSC briefing to Mary Kicza and Gen. Kostelnik regarding cost and scheduling issues related to the proposed collaboration. (Bierbower)
- Supported NASA-NASDA meetings at NASA HQ on proposed amendment to agreement involving joint use of HDTV equipment, provided by NASDA for use on Shuttle and ISS, including use in commercial collaborations (e.g., NASA-DCI-NHK). (Bierbower)
- Participated in Multilateral Partner Program Team (MPPT) telecon on MPPT tasks and meeting schedule in preparation for March ISS Multilateral Coordination Board (MCB) meeting. (Schlabs)
- Reviewed a letter delegating authority pursuant to NASA Policy Directive 1050.1F from the Assistant Administrator, Office of External Relations to the Associate Administrator, Office of Space Flight (relegation to the NASA ISS Program Manager) to negotiate, execute, amend, and terminate a Launch Service Agreement and a Unique Services Agreement with NASDA for the launch of the Japanese Experiment Module. (Roberts)
- Reviewed an agreement with ESA to loan NASA a Centrifuge Chair and associated Ground Support Equipment (GSE) within the framework of the cooperative activities of the International Space Life Sciences Working Group. (Roberts)

- Completed final draft of agreement for Code N's proposed collaboration with schoolbook publisher Scott Foresman, related to NASA's Education Astronaut program. (Bierbower)
- Met with Code R (Henn) to discuss NASA liability policies for commercial use of wind tunnels, and potential for coordinated NASA-Air Force policy on insurance and indemnification for commercial use. (Steptoe, Bierbower)
- Drafted a Request for Information for Code P to invite presentations by potential global brand management agents on options and capabilities for promoting the ISS image. The ISS Partners will be invited to participate in this process. (Roberts)
- Prepared FOIA final determination letter affirming JSC initial determination to withhold, under Exemption 2 (records related to internal personnel rules and practices of an Agency), a requested list of potentially disqualifying medical disorders contained in the NASA "Astronaut Medical Evaluation Requirements Document." (Bierbower)
- Advised Code R (Springer ) on drafting termination letter regarding NASA-Aviation World's Fair, Inc., agreement for NASA's participation in the now-cancelled Aviation World's Fair, planned for 2004. (Bierbower)
- Non-concurred, for Code IY, on the draft NASDA proposed "adhesion contract" for the ALOS mission governed by Japanese law; reviewed and revised draft dip notes for ADEOS-II. (Mirmina)
- Drafted letter for Code M officials to FCC requesting its testing data for Time Domain's Ultra Wideband UWB device; reviewed Code M response to NTIA on draft Report and Order on Mobile Satellite Services and suggested revisions. (Mirmina)
- Finalized FOIA appeal involving Agency records issue at NASA-JPL; drafted reply letter for Code A. (Schlabs)
- Met with Code ID representatives and Japanese Embassy officials (their request) to discuss U.S. export control laws and regulations and their interface with U.S. national security laws and regulations. (Mirmina, Schlabs)



Reply to Attn of: L

January 17, 2003

TO: NASA Headquarters  
Attn: G/General Counsel

FROM: L/Chauncey C. Williams

SUBJECT: Weekly Activity Report

The NASA Dryden Office of the Chief Counsel offers the following action items for the 1-week period of 1/11 – 1/17/03:

Working SBIR protest issues with Dryden and Headquarters personnel. This protest over an SBIR Phase I award was submitted by a former Dryden engineer who has a reputation as a confrontational figure. The protest challenges the NASA evaluation procedure for proposals received and alleges selection decisions are arbitrary and do not evaluate proposals on their overall merit. **(WILLIAMS)**

Contacted Submitter to let them know there had been a FOIA request for their contract. Submitter responded with a letter indicating that they believe the CLINs should be redacted. Although we disagree with their position, sent a formal Submitter's letter outlining the Agency's position on release of CLINs and requesting a formal objection and/or response. **(LORD)**

Met with members of our IFMP data conversion team to review non-disclosure agreements that contractors will sign in order to access DFRC financial data. As agreed, only non-privacy act material may be removed from DFRC, but all contractors will sign non-disclosure agreements, regardless of whether the data they are working with contains privacy act information. **(LORD)**

Researched a cure notice/show cause notice issue. A contractor previously fell behind on their construction schedule, and we sent them a cure notice in February 2002. We did not take further action at that time. The Contracting Officer now wants to establish a new deadline (February 9, 2003) and send a Show Cause notice. The issue is whether we have waived our right to do so by failing to act in a timely manner after sending the original cure notice. **(LORD)**

In a related issue, the Contracting Officer also wanted to know whether we may enforce the liquidated damages clause even if we waived our right to terminate the contract. Research indicates that it is in our best interests to enforce the liquidated damages clause based on delays associated with the new deadline. **(LORD)**

Advised Center management with respect to a pending sensitive situation involving a contractor employee. **(WILLIAMS)**

Preliminary contact from the Air Force and Boeing concerning what support Dryden can offer to the Airborne Laser (ABL) program currently in initial test stages here at Edwards Air Force Base. The program uses a 747 as the carrier vehicle and some of our equipment and/or expertise (present because of the 747 shuttle carrier aircraft at Dryden) may be utilized on a noninterference, reimbursement basis to assist. Discussion of what is appropriate agreement vehicle, as well as necessary parties and other considerations, is ongoing **(WILLIAMS)**.

Reviewed amendment and associated statement of work for the Unmanned Air Combat Vehicle project. This agreement allows for the ongoing Dryden work in supporting this program having a high national and DOD interest. **(WILLIAMS)**



## Kurke, Kathy

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**From:** Mark, Michael I  
**Sent:** Monday, February 03, 2003 6:01 PM  
**To:** Kurke, Kathy  
**Cc:** Gallagher, Shawn T; Love, Kevin; Polen, C (Pete) A; Reilley, Karen M; McMurry, Tom; Arena, Jon; Goetzke, Ken; Sharon Seward; Wilson, Ken G; Drabeck, Dawn S; Singleton, Bridgette M; Smith, Karen L  
**Subject:** Weekly Highlights

- Provided comments to Jon on his presentation on the Limitation of Cost/Limitation of Funds clauses
- Met with Dave Jones and Sandra Glenn on various ROME issues
- Attended Boeing Phantom Works senior management presentation
- Provided advice to Randy Johnston on proprietary rights in contract deliverables, stepped him through the applicable data rights clause
- Attended meeting with Kevin and reps from OP and SEC on construction specifications problems and how they might be resolved
- **Gathered information for Mike Winchell on USAF death procedures and possible contact at Armed Forces Institute of Pathology in support of Columbia recovery operations**
- BLT meeting
- Three days in DC at Federal Publications Contract Year in Review Conference



## Kurke, Kathy

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**From:** McMurry, Tom  
**Sent:** Wednesday, February 05, 2003 11:34 AM  
**To:** Kurke, Kathy  
**Subject:** Columbia Information Procedures

Kathy - This morning I contacted the HCAT and the Johnson EOC to inquire as to the procedures for forwarding information to both of those organizations. The HCAT individual advised that information should be sent to the EOC - don't even bother sending any info copy to the HCAT because they will simply forward it to the EOC. The EOC advised that information could be faxed to them at [REDACTED] or, if it is in electronic form, it could be emailed to them at [REDACTED]. They advised that the address is not just for images and that any sort of electronic information sent to that site will be quickly reviewed and dealt with in an appropriate manner. Based on this information, it seems that the agency has essentially made the EOC the portal through which all relevant information to the investigation is to be funneled. If there is information that seems to be relevant for investigators' consideration and that relates to internal agency operations, we might want to consider alerting Johnson's OCC as to its existence and the fact that we are advising that it be treated just like all other relevant information related to the disaster - and forwarded to the EOC. I say this only because the individuals with the information might not feel comfortable faxing it and wondering to whom it might be released - inadvertent or otherwise. Perhaps we could also make ourselves available to answer questions regarding the best procedures to be used in forwarding any information that our folks feel should be considered by the investigators. That way we would hopefully be apprised when any information that is of concern to someone makes it into the right hands and we could alert the folks at the EOC to be on the lookout for it..

Hope this helps.  
Tom

## Kurke, Kathy

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**From:** McMurry, Tom  
**Sent:** Thursday, February 06, 2003 10:18 AM  
**To:** Kurke, Kathy  
**Cc:** Love, Kevin  
**Subject:** FOIA Message

Kathy - I've drafted a FOIA message for your use at document #4276. The message is drafted in a manner consistent with yesterday's directive from the Assistant Administrator, Office of Public Affairs. In taking a close look at that directive, I found it a little odd that it excluded from the definition of "third-parties" "NASA contractors involved in the Columbia accident investigation or involved in the Shuttle program." In my view, a NASA contractor involved with the Shuttle program but not operating in a supporting role to an official investigation team should be subject to FOIA. Anyway, I've drafted the message consistent with the HQ guidance and our own LAPD 1300.2.

Tom

## **Kurke, Kathy**

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**From:** Wilson, Ken G  
**Sent:** Monday, February 10, 2003 12:15 PM  
**To:** Arena, Jon; Drabeck, Dawn S; Gallagher, Shawn T; Goetzke, Ken; Kurke, Kathy; Love, Kevin; Mark, Michael I; McMurry, Tom; Polen, C (Pete) A; Reilley, Karen M; Sharon Seward; Singleton, Bridgette M; Smith, Karen L  
**Subject:** 3-10 FEB 03

### HR

Along with Pete, advised OD regarding personnel changes affecting a senior level employee  
Briefed IG on potential false claim; With help from Pete and Dawn, met with OHR and supervisor of employee who filed the claim

### Administrative & Fiscal Law

Reviewed two CPs and a LaPG

Worked with Pete re whether NAF money can be donated to Salvation Army to defray cost expended in assisting folks engaged in debris recovery efforts; Per Kathy, researched authority for establishing a CFC fund for Shuttle  
Meeting with IFMP program office regarding purchase of items for expo, briefed KAK and drafted follow up memo  
Working FTCA claim for damage caused by rebar in a parking barrier

Met with Kathy, Shawn and Pete re gratuitous service agreements for NASA retirees working on the Columbia investigation

FOIA telcon with Tom and Kathy

Toughy issue involving LaRC employees that advised NTSB on an investigation of a air crash that is currently in litigation

### Ethics

Drafting § 208 opinion for former employee

Reviewed an outside employment request

Worked two questionable reimbursable travel requests

### Other

Watched Memorial Service on NASA TV

## Kurke, Kathy

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**From:** Smith, Karen L  
**Sent:** Monday, February 03, 2003 12:46 PM  
**To:** Kurke, Kathy  
**Subject:** Dave Jones came to ask you per Kim Stone's request. They need to know whether LaRC can release info to another government agency, Defense Contract Mgmt.,

**Importance:** High

re: whether a particular contractor worked on part of the shuttle program. DCMA is making an URGENT request for this info.

**Tom McMurry, 10:51 AM 2/20/2003 -0500, Fwd: Columbia accident --PAO/FOIA m**

X-Sender: w.t.mcmurry@larc.nasa.gov  
X-Mailer: QUALCOMM Windows Eudora Version 4.3.1  
Date: Thu, 20 Feb 2003 10:51:21 -0500  
To: k.l.s.smith@larc.nasa.gov  
From: Tom McMurry <w.t.mcmurry@larc.nasa.gov>  
Subject: Fwd: Columbia accident --PAO/FOIA memo re requests for records

In response to FOIA request...

X-Sender: k.a.kurke@express.larc.nasa.gov  
X-Mailer: QUALCOMM Windows Eudora Version 5.0.2  
Date: Wed, 05 Feb 2003 18:35:43 -0500  
To: K.E.LOVE@larc.nasa.gov, S.T.GALLAGHER@larc.nasa.gov,  
K.M.REILLEY@larc.nasa.gov, C.A.POLEN@larc.nasa.gov,  
M.I.MARK@larc.nasa.gov, w.t.mcmurry@larc.nasa.gov,  
J.A.ARENA@larc.nasa.gov, C W Cleghorn <C.W.Cleghorn@larc.nasa.gov>,  
L.B.BLACKBURN@larc.nasa.gov, R.W.EDWARDS@larc.nasa.gov,  
K.G.HAMMERLE@larc.nasa.gov, h.m.galus@larc.nasa.gov,  
B.V.GIBBENS@larc.nasa.gov  
From: Kathy Ann Kurke <k.a.kurke@larc.nasa.gov>  
Subject: Fwd: Columbia accident --PAO/FOIA memo re requests for records  
Cc: M.P.FINNERAN@larc.nasa.gov, D.C.FREEMAN@larc.nasa.gov,  
L.M.COUCH@larc.nasa.gov, S.L.YOKUM@larc.nasa.gov

A revision to the last one  
Kathy

X-Authentication-Warning: spinoza.public.hq.nasa.gov: majordom set sender to  
owner-chiefcounsel using -f  
X-Sender: wbierbow@mail.hq.nasa.gov  
X-Mailer: QUALCOMM Windows Eudora Version 4.3.2  
Date: Wed, 05 Feb 2003 18:08:29 -0500  
To: ChiefCounsel@spinoza.public.hq.nasa.gov  
From: William Bierbower <wbierbow@hq.nasa.gov>  
Subject: Columbia accident --PAO/FOIA memo re requests for records  
Cc: ppastore@hq.nasa.gov, rstephen@hq.nasa.gov, jsteptoe@hq.nasa.gov,  
dthomas1@hq.nasa.gov, gmiller@hq.nasa.gov, dgayle@hq.nasa.gov,

George.P.Sloup@nasa.gov, Blakely.A.Lord@nasa.gov,  
Kaprice.L.Harris@nasa.gov, David.S.Schuman@nasa.gov,  
THowell@nmo.jpl.nasa.gov, Geoffrey.S.Swanson@nasa.gov,  
t.mccury@larc.nasa.gov, Christi.L.Dame@nasa.gov,  
Robert.Magnuson@ssc.nasa.gov  
Sender: owner-chiefcounsel@lists.hq.nasa.gov

Please find attached the latest version of the draft memorandum regarding FOIA treatment of requests for Columbia-related records. This draft contains a revision, in italics, to the draft cc'ed to you by Carolyn Johnson approximately one hour ago, plus the list of Chief Counsels' designated attorneys on the FOIA legal team.

Bill

William J. Bierbower  
Senior Attorney  
Office of the General Counsel  
NASA Headquarters  
3rd and E Streets, SW  
Washington, D.C.  
202-358-1780


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**Kathy Ann Kurke**  
**Chief Counsel**  
**NASA Langley Research Center**

---

Office of Chief Counsel  
@larc.nasa.gov  
M.S. 141, 9A Langley Blvd  
NASA Langley Research Center,  
Hampton, VA 23681-0001

E- mail: k.a.kurke  
Phone: (757) 864-3221  
FAX: (757) 864-8296

 FOIA -- Columbia records requests113.doc

**DRAFT 2/5/03 6:00 P.M. Eastern Time**

TO: PAO/FOIA Offices

FROM: Assistant Administrator, Office of Public Affairs

SUBJECT: Requests for Records Related to the Columbia Accident

DATE: February \_\_, 2003

This memorandum establishes the procedures for processing “third party” requests to NASA Centers and Headquarters for all records related to the Columbia/STS-107 accident and related investigations (referred to below as “Columbia-related records”). *This memorandum does not establish new procedures, but instead addresses the application of NASA’s existing Freedom of Information Act procedures (14 C.F.R. Section 1206) to the unique situation at hand.* The goals of this process include assurance of timely responses to requests, thorough documentation of all records requested by and released to third parties, and publication of those records through a NASA internet web site described below.

This policy applies to all “third parties,” which is any person or organization other than: 1) NASA employees, 2) NASA contractors involved in the Columbia accident investigation or involved in the Shuttle program, 3) other Federal agencies, and 4) the Columbia Accident Investigation Board (CAIB) chaired by Adm. Gehman, and its supporting contractors. The following procedural guidelines will be followed in handling third-party requests:

- **Processing requests:**
  - Any request from third-parties for Columbia-related records will be processed under NASA’s Freedom of Information Act (FOIA) procedures, 14 C.F.R. Part 1206, including log-in/log out of all requests.
  - Any oral request by a third party for Columbia-related records must be reduced to writing and submitted to the appropriate PAO/FOIA office.
  - All draft responses (initial determinations) will be reviewed expeditiously by Chief Counsel (Code GG for Headquarters) and appropriate technical personnel.
  - All requests will be processed promptly: the requests and records determined responsive to the requests will be promptly located and reviewed, and timely decisions will be made concerning releasability.
  - [Dave Kings’ group in Lufin – need to discuss procedures]
  
- **Daily lists of requests:**



- Center and HQ FOIA offices will compile a daily list of Columbia-related requests and forward their lists daily to a designated attorneys (listed below) in the Center Chief Counsel's/General Counsel (Code GG) office.
- **Publicly available web site for released records:**
  - Centers' and HQ FOIA Officers will provide NASA Headquarters PAO with all initial determinations and released records [in digital format] on the date they are issued to the requesting party.
  - These records will be published promptly on a publicly available web site to be established by HQ PAO.
- **Chief Counsels' Designated Attorneys:**

Ames:	George Sloup
Dryden:	Blakely A Lord
Glenn:	Kaprice Harris
Goddard:	David Schuman
JPL/NMO:	Tim Howell
KSC:	Geoff Swanson
LaRC:	Tom McMurry
Marshall:	Christi Dame
Stennis:	Robert Magnuson

cc:

Center News Chiefs

**Pete Polen, 01:13 PM 2/5/2003 -0500, Re: Fwd: Re: Fwd: Special Request of the Exch**

X-Sender: c.a.polen@pop.larc.nasa.gov  
X-Mailer: QUALCOMM Windows Eudora Version 5.0.2  
Date: Wed, 05 Feb 2003 13:13:45 -0500  
To: r.b.cone@larc.nasa.gov, s.l.yokum@larc.nasa.gov  
From: Pete Polen <c.a.polen@larc.nasa.gov>  
Subject: Re: Fwd: Re: Fwd: Special Request of the Exchange Council  
Cc: m.p.finneran@larc.nasa.gov

Randy & Sherri,

I discussed this with Code G and we are in agreement that such a donation is within the spirit of the Exchange NPD, 9050.6G.

Paragraph 1.c.(3) states that Exchanges may, by contract, or otherwise, promote activities contributing to the efficiency, welfare, and morale of NASA employees; and paragraph 1.c.(6) authorizes Exchanges to conduct other activities authorized by the Center Director with prior concurrence of the Center Chief Counsel and Center External Affairs Officer, when activities involve the public and are clearly in NASA's and its employees' interests.

Donating to an organization that is expending effort and funds to assist in the Columbia disaster recovery is something that one could conclude contributes to the morale of NASA employees and is, therefore, clearly related to NASA and the interests of its employees. Making the donation might, at least to some degree, serve to represent the overall desire of employees to help and perhaps bring some relief from the feeling of loss that NASA employees are currently experiencing as a result of the Columbia disaster.

The usual restrictions associated with fund raising through the CFC do not apply to non-appropriated fund activities but relate to soliciting Federal employees for contributions to charitable organizations. Thus, any effort to solicit directly from employees would create potential problems that the current request does not raise. Randy, the points you mention in your previous e-mail about receiving similar requests are valid and must also be weighed in making such a decision. Another issue to ponder is whether the Exchange is in a financially viable position to make such a donation. Certainly the Exchange is not in a financial position to respond if we receive a host of these requests, but I do not anticipate that situation. While the

donations from other NASA exchanges will make this request more difficult to decline, the above considerations should be weighed before deciding to donate.

I would suggest following the requirements of paragraph 1.c.(6) to authorize a donation in response to this request. In that case, this e-mail will serve as the concurrence of the LaRC Chief Counsel. I have also copied Mike Finneran, as External Affairs Officer, to determine if he concurs. If so, I believe that Lana has authority to make the decision authorizing the donation since the Center Director has, by LAPD 9050.9, paragraph 5.a., delegated to the Associate Director for Business Management the responsibility for monitoring and implementing exchange policy.

Please let me know if you need any further assistance.

Pete Polen  
Associate Chief Counsel

At 12:01 PM 2/5/2003 -0500, you wrote:

Pete,  
FYI

Randy

X-Info: ODIN / NASA Glenn Research Center

X-Sender: epjohn@popserve.grc.nasa.gov

X-Mailer: QUALCOMM Windows Eudora Version 5.1.1

Date: Wed, 05 Feb 2003 11:01:25 -0500

To: Chris Jedrey <cjedrey@hq.nasa.gov>

From: "John M. Hairston Jr" <John.M.Hairston@nasa.gov>

Subject: Re: Fwd: Special Request of the Exchange Council

Cc: Donald.J.Sawyer@nasa.gov, lhaines@mail.arc.nasa.gov,  
spetersen@mail.arc.nasa.gov, louann.beu@mail.dfrc.nasa.gov,  
jimmy.walker@mail.dfrc.nasa.gov, amecum@gsfc.nasa.gov,  
Betty.j.pyles@gsfc.nasa.gov, James.E.Hattaway@nasa.gov,  
karen.white@hq.nasa.gov, deborah.a.conderl@jsc.nasa.gov,  
greg.w.hayes1@jsc.nasa.gov, Maria.wilson-1@kmail.nasa.gov,  
l.m.couch@larc.nasa.gov, r.b.cone@larc.nasa.gov,  
Steven.P.Durham@msfc.nasa.gov, Axel.Roth@msfc.nasa.gov,  
Jon.B.Roth@ssc.nasa.gov, linda.a.layton.1@gsfc.nasa.gov,

rnock@pop800.gsfc.nasa.gov, jparker@mail.hq.nasa.gov,  
Kimberly.A.Weaver.1@gsfc.nasa.gov,  
Garry Gaukler <ggaukler@mail.hq.nasa.gov>,  
timothy Sullivan <tsulliva@hq.nasa.gov>

Chris:

Glenn's Exchange Council will donate \$1,000.

John

At 09:00 AM 2/4/2003 -0500, Chris Jedrey wrote:

John,

Sorry I missed you on the original.

Date: Tue, 04 Feb 2003 08:05:05 -0500

To: Donald.J.Sawyer@nasa.gov, lhaines@mail.arc.nasa.gov,  
spetersen@mail.arc.nasa.gov, louann.beu@mail.dfrc.nasa.gov,  
jimmy.walker@mail.dfrc.nasa.gov, amecum@gsfc.nasa.gov,  
Betty.j.pyles@gsfc.nasa.gov, , James.E.Hattaway@nasa.gov,  
karen.white@hq.nasa.gov, deborah.a.conder1@jsc.nasa.gov,  
greg.w.hayes1@jsc.nasa.gov, Maria.wilson-1@kmail.nasa.gov,  
l.m.couch@larc.nasa.gov, r.b.cone@larc.nasa.gov,  
Steven.P.Durham@msfc.nasa.gov, Axel.Roth@msfc.nasa.gov,  
Jon.B.Roth@ssc.nasa.gov, linda.a.layton.1@gsfc.nasa.gov,  
rnock@pop800.gsfc.nasa.gov, jparker@mail.hq.nasa.gov,  
Kimberly.A.Weaver.1@gsfc.nasa.gov  
From: Chris Jedrey <cjedrey@hq.nasa.gov>  
Subject: Fwd: Special Request of the Exchange Council  
Cc: Garry Gaukler <ggaukler@mail.hq.nasa.gov>, timothy Sullivan  
<tsulliva@hq.nasa.gov>

Greetings,

I have been asked to contact each of the Exchanges and ask each to consider a cash donation to the Salvation Army. "The Salvation Army has been in the field providing comfort and support to the recovery teams. They been giving food

and shelter to the recovery workers as well as the comfort. To date the Salvation Army has provided about \$25K in support of the recovery effort."

Gary Gaukler from Code M approached me this morning and would like to raise \$25,000 as a donation to the Salvation Army to help defray the expense they are incurring to help us. I told Gary that HQ has a very small operation and does not have a lot of resources but we are willing to pledge \$1,000.00. Since the request to us is minutes old I have not been able to contact all of the Council members at HQ for a vote but I am confident of the \$1,000.00. It may be more once we convene an emergency meeting.

Could I ask each of you to do the same at your Council?-----that is look at what you can afford and let me know the amount? Please cc the others so if they are deliberating they may see what we still need. I am sure that if we happen to exceed \$25,000 it will be greatly appreciated as the expenses continue to mount.

Could you let me know as soon as possible? Today would be great.

X-Sender: ggaukler@mail.hq.nasa.gov  
X-Mailer: QUALCOMM Windows Eudora Version 4.3.2  
Date: Tue, 04 Feb 2003 07:27:34 -0500  
To: Chris Jedrey <cjedrey@mail.hq.nasa.gov>  
From: Garry Gaukler <ggaukler@hq.nasa.gov>  
Subject: Special Request of the Exchange Council

Chris,

I'd like to make an appeal to the Exchange Council to make a donation of \$1,000 to the Salvation Army for their help/aid/support of the Columbia recovery efforts. The Salvation Army has been in the field providing comfort and support to the recovery team. They been giving food and shelter to the recovery workers as well as the comfort. TO date the Salvation Army has provided about \$25K in support of the recovery effort. Any thing we can do to help I'm sure would be appreciated.

As you probably know we can't provide NASA appropriated dollars to a

charitable organization. Any amount the Exchange Council could donate would be appreciated.

For Your Own Info - Also, if you could coordinate with some of the other Centers to see if they'd be willing to make donations as well. I been talking to Scott Pace. If we can get a total from HQs and the other Centers, he'd like to do a short press release. It would go something like - "NASA employees, through non-appropriated funds, have donated \$x to the Salvation Army to aid in their support of the recovery efforts .... and so on." This may spawn others to do the same.

How soon do you think I can get a response?

I appreciate your help on this, Thanks,

Garry Gaukler  
OSF Acting Assistant Associate Administrator,  
Business Management Integration & Analysis  
e-mail: [ggaukler@hq.nasa.gov](mailto:ggaukler@hq.nasa.gov)  
phone #: 202-358-1013  
fax #: 202-358-2848  
Room #: 7C76

Chris Jedrey  
NASA Headquarters  
(202) 358-0483  
FAX (202) 358-3561  
Randy B. Cone  
Exchange Operations Manager  
Office of the Director  
NASA Langley Research Center  
Mail Stop 125, Bldg. 1268b Rm. 1206  
Hampton, Virginia 23681  
Phone: 757-864-9135  
Email: [R.B.Cone@Larc.NASA.gov](mailto:R.B.Cone@Larc.NASA.gov)

February 7, 2003

106

TO: LaRC Civil Servants  
FROM: 106/Acting Director  
SUBJECT: Space Shuttle Columbia (STS-107)

I join **all of** Langley in mourning the tragic losses related to the Columbia disaster. I also share the intense desire to do everything possible to assist investigators as they strive to determine the cause of the tragedy and prevent it from happening again. In response to the inquiries I have received regarding offers of technical assistance and pertinent information, you should be apprised of the following procedures.

NASA is directing all information pertinent to the investigation to the Emergency Operations Center (EOC) at Barksdale Air Force Base. If you have information you feel is pertinent to the investigation, I encourage you to immediately forward it to the EOC. Information forwarded to the EOC is being safeguarded, processed, and forwarded to the appropriate officials.

Pertinent information, including documents, statements or other data may be faxed to the EOC at (281) 483-0002 or (281) 483-4215. You can also contact the EOC directly by calling (281) 483-9778. Any form of electronic documentation or data may also be emailed to the EOC at [columbiainages@nasa.gov](mailto:columbiainages@nasa.gov). There is no requirement to copy Center management. However, please feel free to do so if you wish.

You may also receive requests for information, documents or data from investigators as they begin the task of sorting through and evaluating the information they encounter. I share the commitment to fully comply with our moral, professional and legal obligations to provide full, open and completely truthful information to the investigators.

Another source of inquiry may be third party non-governmental organizations that have nothing to do with the official investigation(s). Such requests should be processed through existing Freedom of Information Act (FOIA) procedures. Accordingly, refer requests from third-party non-governmental organizations to LaRC's FOIA officer, Cheryl Cleghorn at [FOIA@larc.nasa.gov](mailto:FOIA@larc.nasa.gov). Cheryl is also available at 864-2497. All FOIA requests for Columbia related documents or data will receive legal review and be processed in accordance with FOIA laws and regulations.

In addition, as early as Saturday afternoon I offered LaRC expertise in matters that may be relevant to the investigation to NASA Headquarters and those supporting the investigation. Already, we are being involved with tests in the 20-Inch Mach 6 Tunnel, starting today, doing thermal mapping of the Orbiter, and I was asked by Fred Gregory this morning for our structures expertise to be used to help reassemble and analyze the recovered parts of Columbia.

We can all take solace in the fact that LaRC stands committed to assist with the Columbia investigation in a manner that is forthright and dedicated to establishing all relevant facts and circumstances. If you perceive any inclination to the contrary, advise me immediately. Rest assured, this Center is dedicated to an investigation that is beyond reproach.

Finally, I **personally** understand the immense sense of loss that we as part of the NASA family are feeling. Please take advantage of our Employee Assistance Program (EAP)—it is there for you, especially under such trying conditions. The EAP is a confidential service providing short-term counseling at no cost. The EAP can be reached at 1(800) 950-3434 or 826-8565. Counselors are available 24 hours a day, 7 days a week.

Delma C. Freeman  
44111

cc:  
101/CRM  
106/EOA  
106/EOT  
115/Head, OEA  
141/Chief Counsel

141/WTMcMurry:kls 2/6/2003 (43708)

141/KAK



Reply-To: "Kathy Ann Kurke" <k.a.kurke@larc.nasa.gov>  
 From: "Kathy Ann Kurke" <k.a.kurke@larc.nasa.gov>  
 To: "Tom McMurry" <w.t.mcmurry@larc.nasa.gov>,  
 "Shawn Gallagher" <S.T.GALLAGHER@larc.nasa.gov>,  
 "Sharon Seward" <s.s.seward@larc.nasa.gov>,  
 "Pete Polen" <C.A.POLEN@larc.nasa.gov>,  
 "MICHAEL MARK I" <M.I.MARK@larc.nasa.gov>,  
 "Kevin Love" <K.E.LOVE@larc.nasa.gov>,  
 "Ken Wilson" <K.G.WILSON@larc.nasa.gov>,  
 "Ken Goetzke" <K.H.GOETZKE@larc.nasa.gov>,  
 "Karen Smith" <K.L.S.SMITH@larc.nasa.gov>,  
 "Karen Reilley" <K.M.REILLEY@larc.nasa.gov>,  
 "Jon Arena" <J.A.ARENA@larc.nasa.gov>,  
 "Dawn Drabeck" <d.s.drabeck@larc.nasa.gov>,  
 "Bridgette M Singleton" <b.m.singleton@larc.nasa.gov>,  
 "Linda Blackburn" <L.B.BLACKBURN@larc.nasa.gov>

Subject: Fw: Aviation Weekly  
 Date: Sun, 2 Feb 2003 20:41:13 -0500  
 X-Mailer: Microsoft Outlook Express 6.00.2720.3000

FYI

----- Original Message -----

**From:** WINCHELL, MICHAEL G., JD (MIKE) (JSC-AL) (NASA)  
**To:** bruce.anderson-1@ksc.nasa.gov ; david.samuels@mail.dfrc.nasa.gov ; dforbes@hq.nasa.gov ;  
 dwojnaro@hq.nasa.gov ; jmannix@hq.nasa.gov ; john.w.sikora@lerc.nasa.gov ; jstephoe@hq.nasa.gov ;  
 k.a.kurke@larc.nasa.gov ; lawrence.watson@gsfc.nasa.gov ; Moore, Rita ; Paul Pastorek ;  
 rstephen@hq.nasa.gov ; smauldin@mail.arc.nasa.gov ; Stennis Counsel Office ;  
 Timothy\_S\_Howell@hq.nasa.gov ; William.a.hicks@msfc.nasa.gov  
**Sent:** Sunday, February 02, 2003 5:23 PM  
**Subject:** FW: Aviation Weekly

for scholarly research only..

Aviation Week & Space Technology

Structural, Systems Integrity Focus Of Shuttle Probe  
 By William Scott



Investigators probing the loss of space shuttle Columbia on Feb. 1 at about 9 a.m. EST during reentry will probably focus on structural- and systems-integrity.

Data sent via telemetry from the orbiter are being scrutinized for clues that could explain the vehicle's high-altitude break-up.

"We'll be poring over that data 24 hours a day for the foreseeable future," said Ron Dittmore, NASA's space shuttle program manager.

Although details are still slowly emerging from NASA, it appears that both voice and telemetry signals were lost shortly after Columbia emerged from the "blackout" portion of the reentry. Milt Heflin, NASA's Chief Flight Director, said "all vehicle data" were lost when Columbia was at 207,135 ft. altitude and Mach 18.3.

At a mid-afternoon press briefing, Heflin outlined a sequence of sensor readings and the loss of those readings:

- 8:53 a.m. EST - Lost left wing inboard and outboard hydraulic temperature sensors.
- 8:56 a.m. EST - Left main tire and brake line temperatures increasing.

- 8:58 a.m. EST - "Bondline" temperatures from sensors in the vehicle structure were lost. Three of these were on the left wing's inboard and outboard elevons.

- 8:59 a.m. EST - Left main gear tire temperatures and pressures were lost; these involved eight separate sensor measurements. At about this time, a tire pressure alert was displayed to the shuttle crew, and was apparently acknowledged verbally. This was believed to be the crew's last transmission.

U.S. officials identified several primary areas for investigators' initial focus:

- The trajectory flown by the shuttle as it entered the upper atmosphere. A too-steep approach could cause excessive heating of the vehicle's structure, which could lead to its failure.

- Integrity of the orbiter's structure throughout the reentry.

- The flight controls, including both the reaction control system (RCS) small thrusters that let astronauts fly the orbiter in space -- and aerodynamic surfaces, such as elevons on the aft edge of the wing, which control the vehicle within the atmosphere.

- Possible damage to the thermal protection system (TPS), the white and black tiles that protect the vehicle from excessive heat. During Columbia's liftoff, a piece of insulation from the external fuel tank fell off and hit the orbiter, apparently on the leading edge of the left wing. Whether this impact significantly damaged protective tiles or not, and had any effect on the shuttle orbiter's ultimate breakup during reentry, is being studied.

"We spent a goodly amount of time reviewing" film of the insulation falling off, "and then analyzing" it to see "would there be any consequences," Dittmore told reporters. "It was judged that that event did not represent a safety concern. As we look at that now in hindsight, and certainly we have, all the indications were on the left wing. We can't discount that there might be a connection, but we can't rush to judgment on it."

Information from several Defense Dept. space-monitoring facilities will also be key to the investigation. Infrared sensors on U.S. Defense Support Program (DSP) satellites are believed to have captured data that could help NASA determine what was happening to Columbia during reentry. Officials at the North American Aerospace Defense Command (NORAD) said they are supporting NASA, but declined to comment on specifics.

NORAD provides missile warning and space-object tracking primarily for defense purposes, but its Space Control Center in Cheyenne Mountain, Colo., also monitors shuttle launches and on-orbit operations. Using a number of space surveillance systems, NORAD, Air Force Space Command and U.S. Strategic Command provide debris-avoidance information to NASA when the shuttle is in space.

**Kathy Ann Kurke, 08:13 AM 2/4/2003 -0500, Fwd: Re: SPACE SHUTTLE CHILDR**

X-Sender: k.a.kurke@express.larc.nasa.gov  
X-Mailer: QUALCOMM Windows Eudora Version 5.0.2  
Date: Tue, 04 Feb 2003 08:13:40 -0500  
To: K.E.LOVE@larc.nasa.gov, C.A.POLEN@larc.nasa.gov,  
d.s.drabeck@larc.nasa.gov,  
K.L.S.SMITH@larc.nasa.gov, S.T.GALLAGHER@larc.nasa.gov,  
K.M.REILLEY@larc.nasa.gov, K.G.WILSON@larc.nasa.gov,  
B.M.SINGLETON@larc.nasa.gov, K.H.GOETZKE@larc.nasa.gov,  
M.I.MARK@larc.nasa.gov, w.t.mcmurry@larc.nasa.gov,  
S.S.SEWARD@larc.nasa.gov, J.A.ARENA@larc.nasa.gov  
From: Kathy Ann Kurke <k.a.kurke@larc.nasa.gov>  
Subject: Fwd: Re: SPACE SHUTTLE CHILDREN'S FUND

FYI  
Kathy

X-Sender: rstephen@mail.hq.nasa.gov  
X-Mailer: QUALCOMM Windows Eudora Version 4.3.2  
Date: Tue, 04 Feb 2003 07:57:52 -0500  
To: ken.human@ssc.nasa.gov, thowell@nmo.jpl.nasa.gov,  
mwinchel@ems.jsc.nasa.gov, william.a.hicks@msfc.nasa.gov,  
smauldin@mail.arc.nasa.gov, lawrence.watson@gsfc.nasa.gov,  
k.a.kurke@larc.nasa.gov, john.w.sikora@lerc.nasa.gov,  
david.samuels@mail.dfrc.nasa.gov, bruce.anderson-1@ksc.nasa.gov  
From: Robert Stephens <rstephen@hq.nasa.gov>  
Subject: Fwd: Re: SPACE SHUTTLE CHILDREN'S FUND  
Cc: PPastore@hq.nasa.gov

FYI, and any action as appropriate.

From: PPastore@hq.nasa.gov  
Subject: Re: SPACE SHUTTLE CHILDREN'S FUND  
Date: Tue, 4 Feb 2003 07:54:41 -0500  
To: broan@hq.nasa.gov  
Cc: rstephens@hq.nasa.gov  
X-MIMETrack: Serialize by Router on bes1/HQ/NASA(Release 5.0.11 |July 24,

2002) at 02/04/2003  
07:54:43 AM

Bernie,

I have concluded that we should not mention, promote or otherwise reference any charitable fund. It is a slippery slope to do otherwise.

Bob, please make sure that all Chiefs get this message.

Paul

**Kathy Ann Kurke  
Chief Counsel  
NASA Langley Research Center**

---

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@larc.nasa.gov	
M.S. 141, 9A Langley Blvd	Phone: (757) 864-3221
NASA Langley Research Center,	FAX: (757) 864-8296
Hampton, VA 23681-0001	

X-Sender: k.a.kurke@express.larc.nasa.gov  
X-Mailer: QUALCOMM Windows Eudora Version 5.0.2  
Date: Mon, 03 Feb 2003 17:49:19 -0500  
To: w.t.mcmurry@larc.nasa.gov, J.A.ARENA@larc.nasa.gov,  
d.s.drabeck@larc.nasa.gov  
From: Kathy Ann Kurke <k.a.kurke@larc.nasa.gov>  
Subject: Fwd: Re: FOIA legal team  
Cc: K.E.LOVE@larc.nasa.gov, C.A.POLEN@larc.nasa.gov,  
S.T.GALLAGHER@larc.nasa.gov, K.L.S.SMITH@larc.nasa.gov,  
B.M.SINGLETON@larc.nasa.gov

Date: Mon, 03 Feb 2003 17:44:07 -0500  
To: Jay Steptoe <jsteptoe@hq.nasa.gov>  
From: Kathy Ann Kurke <k.a.kurke@larc.nasa.gov>  
Subject: Re: FOIA legal team  
Cc: Bill Bierbower

The FOIA attorney from LaRC will be Tom McMurry. He can be backed up by Jon Arena and our paralegal, Dawn Drabeck, if needed.  
I would also like to sit in on the telecon. Thanks  
Kathy

At 04:44 PM 2/3/2003 -0500, you wrote:

Following the telecon discussion last night, Paul and Bob want to establish a NASA legal team to address FOIA issues arising from the Columbia accident. The Headquarters attorneys on the team will be David Gayle/GK, Guy Miller/GP, Dan Thomas/GG, and Bill Bierbower/GS as lead. Bob asked me to request that each Chief Counsel designate an attorney for this team so that we can work FOIA issues on coordinated basis NASA-wide. Please notify us of the designated attorney for your office by tomorrow morning, if possible, so we can get this team up and running (cc Bill Bierbower). Bob, Laura and I will participate in a kick-off meeting, later this week, and any Chief Counsel would be very welcome to join.

It's my understanding that the FOIA legal team will help support a larger effort by an HQ team being established today to coordinate NASA responses to "questions or comments from the external community [to ensure they are] timely, accurate, consistent and properly coordinated." This would include all inquiries, requests, etc. from Congress, the media and the public. That team will be led by Michael Greenfield, Associate Deputy Administrator for Technical Programs and includes Bob Stephens, P/Trish Pingra; L/ Hellen Rothman; B /Doug Comstock; M/Angela Diaz and M/Bobbie Watkins; A/Gary Martin; and Q/ Bill Bihner. Code I will also be represented on this team.

This document, including any attachments, contains information that is confidential, protected by the attorney-client or other applicable privileges, or constitutes non-public information. It is intended only for the designated recipient(s). If you are not an intended recipient of this information, please take appropriate steps to destroy this document in its entirety and notify the sender of its destruction. Use, dissemination, distribution, or reproduction of this information by unintended recipients is not authorized and may be unlawful.

Jay Steptoe

Tel: 202.358.2432

Fax: 202.358.4355

**Kathy Ann Kurke**

**Chief Counsel**

**NASA Langley Research Center**

---

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NASA Langley Research Center,  
Hampton, VA 23681-0001

E- mail: k.a.kurke

Phone: (757) 864-3221  
FAX: (757) 864-8296

**Kathy Ann Kurke  
Chief Counsel  
NASA Langley Research Center**

---

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NASA Langley Research Center,	FAX: (757) 864-8296
Hampton, VA 23681-0001	

**Kathy Ann Kurke, 08:51 PM 2/2/2003 -0500, You do not need to come back**

---

Reply-To: "Kathy Ann Kurke" <k.a.kurke@larc.nasa.gov>  
From: "Kathy Ann Kurke" <k.a.kurke@larc.nasa.gov>  
To: "Shawn Gallagher" <S.T.GALLAGHER@larc.nasa.gov>  
Cc: "Karen Smith" <K.L.S.SMITH@larc.nasa.gov>,  
"Bridgette M Singleton" <b.m.singleton@larc.nasa.gov>,  
"Pete Polen" <C.A.POLEN@larc.nasa.gov>,  
"Kevin Love" <K.E.LOVE@larc.nasa.gov>,  
"Linda Blackburn" <L.B.BLACKBURN@larc.nasa.gov>  
Subject: You do not need to come back  
Date: Sun, 2 Feb 2003 20:51:24 -0500  
X-Mailer: Microsoft Outlook Express 6.00.2720.3000

Shawn -

Tonight's telecon with Paul was primarily geared toward giving us an update on what was going on and seeking expertise on a variety of issues. Obviously the folks at KSC and JSC - and to a lesser extent, Stennis, will be the busiest. Of course HQ will also be swamped. The real bulk of the legal work will come down the road.

Bill Sikora will serve as legal advisor to one of the investigation teams. The rest of us are sort of on stand-by to help.

The first thing we will most likely face is a large influx of FOIA requests. All FOIA requests are supposed to get legal review before they go out.

We will expect to get lots of claims. I don't know how many LaRC will receive, if any.

There are already 100s of folks alleging injury from the debris. Some are from burns. I guess it is not obvious to people that something that fell out of the sky at that speed would be VERY hot.

We will have legal update phone calls every day at 5:00 PM for the time being. All Chief Counsels and the AGCs will participate.

Pete and my trip has been called off. So I will be at the office on Monday



**Kathy Ann Kurke, 08:51 PM 2/2/2003 -0500, You do not need to come back**

---

and for the next few days if things pick up at the office. Everyone else is scheduled to be in town, I think.

So... enjoy the rest of MIP. Check in periodically and I will tell you what I know. I will have a staff meeting set up sometime on Monday to discuss this with the staff. If you want to participate in it - get with Karen or Bridgette to try to coordinate it with your schedule in mind if possible.

Kathy

Kathy

**Kathy Ann Kurke, 08:59 PM 2/2/2003 -0500, Fw: NASA MEMORIAL SERVICE SC**

Reply-To: "Kathy Ann Kurke" <k.a.kurke@larc.nasa.gov>  
From: "Kathy Ann Kurke" <k.a.kurke@larc.nasa.gov>  
To: "Tom McMurry" <w.t.mcmurry@larc.nasa.gov>,  
"Shawn Gallagher" <S.T.GALLAGHER@larc.nasa.gov>,  
"Sharon Seward" <s.s.seward@larc.nasa.gov>,  
"Pete Polen" <C.A.POLEN@larc.nasa.gov>,  
"MICHAEL MARK I" <M.I.MARK@larc.nasa.gov>,  
"Kevin Love" <K.E.LOVE@larc.nasa.gov>,  
"Ken Wilson" <K.G.WILSON@larc.nasa.gov>,  
"Ken Goetzke" <K.H.GOETZKE@larc.nasa.gov>,  
"Karen Smith" <K.L.S.SMITH@larc.nasa.gov>,  
"Karen Reilley" <K.M.REILLEY@larc.nasa.gov>,  
"Jon Arena" <J.A.ARENA@larc.nasa.gov>,  
"Dawn Drabeck" <d.s.drabeck@larc.nasa.gov>,  
"Bridgette M Singleton" <b.m.singleton@larc.nasa.gov>,  
"Linda Blackburn" <L.B.BLACKBURN@larc.nasa.gov>

Subject: Fw: NASA MEMORIAL SERVICE SCHEDULED AT JOHNSON SPACE CENTER

Date: Sun, 2 Feb 2003 20:59:44 -0500

X-Mailer: Microsoft Outlook Express 6.00.2720.3000

FYI

----- Original Message -----

From: "WINCHELL, MICHAEL G., JD (MIKE) (JSC-AL) (NASA)"  
<michael.g.winchell@nasa.gov>

To: <bruce.anderson-1@ksc.nasa.gov>; <david.samuels@mail.dfrc.nasa.gov>;  
<dforbes@hq.nasa.gov>; <dwojnaro@hq.nasa.gov>; <jmannix@hq.nasa.gov>;  
<john.w.sikora@larc.nasa.gov>; <jsteptoe@hq.nasa.gov>;  
<k.a.kurke@larc.nasa.gov>; <lawrence.watson@gsc.nasa.gov>; "Moore, Rita"  
<rita.moore@hq.nasa.gov>; "Paul Pastorek" <ppastore@hq.nasa.gov>;  
<rstephen@hq.nasa.gov>; <smauldin@mail.arc.nasa.gov>; "Stennis Counsel  
Office" <ssc.legal.office@ssc.nasa.gov>; <Timothy\_S.\_Howell@hq.nasa.gov>;  
<William.a.hicks@msfc.nasa.gov>

Sent: Sunday, February 02, 2003 6:12 PM

Subject: FW: NASA MEMORIAL SERVICE SCHEDULED AT JOHNSON SPACE CENTER

>  
>  
> -----Original Message-----  
> From: NASANews@hq.nasa.gov [<mailto:NASANews@hq.nasa.gov>]  
> Sent: Sunday, February 02, 2003 3:41 PM  
> To: undisclosed-recipients  
> Subject: NASA MEMORIAL SERVICE SCHEDULED AT JOHNSON SPACE  
CENTER  
>  
>  
> Glenn Mahone/Bob Jacobs  
> Headquarters, Washington February 2, 2003  
> (Phone: 202/358-1898/1600)  
>  
> Eileen Hawley  
> Johnson Space Center, Houston  
> (Phone: 281/483-5111)  
>  
> RELEASE: 03-37  
>  
> NASA MEMORIAL SERVICE SCHEDULED AT JOHNSON SPACE CENTER  
>  
> The President and Mrs. George W. Bush will join NASA Administrator  
Sean  
> O'Keefe Tuesday afternoon in paying tribute to the brave heroes of the  
Space  
> Shuttle Columbia crew during a special memorial service at the NASA  
Johnson  
> Space Center in Houston.  
>  
> The ceremony to honor NASA astronauts Rick Husband, William McCool,  
Michael  
> Anderson, Kalpana Chawla, David Brown, Laurel Clark, and Israeli astronaut  
> Ilan Ramon is scheduled to begin at 12:45 p.m. EST in the Central Mall  
area  
> behind Building One. Gates are scheduled to open at 10 a.m.

- >
- > This is a private ceremony for family members, friends, and invited guests,
- > along with NASA employees and contractors. The service will be carried live
- > on NASA Television and available on the Internet at [www.nasa.gov](http://www.nasa.gov).
- >
- > Media access to the memorial service will be restricted with television and
- > still photography access provided on a pool basis.
- >
- > NASA Television is available on AMC-2, transponder 9C, C-Band, located at 85
- > degrees West longitude. The frequency is 3880.0 MHz. Polarization is
- > vertical and audio is monaural at 6.8 MHz.
- >
- > Additional information about the STS-107 crew and the Space Shuttle Columbia
- > is available on the Internet at <http://spaceflight.nasa.gov>.
- >
- > -end-
- >
- >
- > \* \* \*
- >
- > NASA press releases and other information are available automatically
- > by sending an Internet electronic mail message to [domo@hq.nasa.gov](mailto:domo@hq.nasa.gov).
- > In the body of the message (not the subject line) users should type
- > the words "subscribe press-release" (no quotes). The system will
- > reply with a confirmation via E-mail of each subscription. A second
- > automatic message will include additional information on the service.
- > NASA releases also are available via CompuServe using the command
- > GO NASA. To unsubscribe from this mailing list, address an E-mail
- > message to [domo@hq.nasa.gov](mailto:domo@hq.nasa.gov), leave the subject blank, and type only
- > "unsubscribe press-release" (no quotes) in the body of the message.
- >
- >

**Kathy Ann Kurke, 08:29 PM 2/1/2003 -0500, Fw: Columbia**

---

Reply-To: "Kathy Ann Kurke" <k.a.kurke@larc.nasa.gov>  
From: "Kathy Ann Kurke" <k.a.kurke@larc.nasa.gov>  
To: "Tom McMurry" <w.t.mcmurry@larc.nasa.gov>,  
"Shawn Gallagher" <S.T.GALLAGHER@larc.nasa.gov>,  
"Sharon Seward" <s.s.seward@larc.nasa.gov>,  
"Pete Polen" <C.A.POLEN@larc.nasa.gov>,  
"MICHAEL MARK I" <M.I.MARK@larc.nasa.gov>,  
"Kevin Love" <K.E.LOVE@larc.nasa.gov>,  
"Ken Wilson" <K.G.WILSON@larc.nasa.gov>,  
"Ken Goetzke" <K.H.GOETZKE@larc.nasa.gov>,  
"Karen Smith" <K.L.S.SMITH@larc.nasa.gov>,  
"Karen Reilley" <K.M.REILLEY@larc.nasa.gov>,  
"Jon Arena" <J.A.ARENA@larc.nasa.gov>,  
"Dawn Drabeck" <d.s.drabeck@larc.nasa.gov>,  
"Bridgette M Singleton" <b.m.singleton@larc.nasa.gov>,  
"Linda Blackburn" <L.B.BLACKBURN@larc.nasa.gov>

Subject: Fw: Columbia

Date: Sat, 1 Feb 2003 20:29:19 -0500

X-Mailer: Microsoft Outlook Express 6.00.2720.3000

----- Original Message -----

From: "WINCHELL, MICHAEL G., JD (MIKE) (JSC-AL) (NASA)"  
<michael.g.winchell@nasa.gov>

To: <PPastore@hq.nasa.gov>; <k.a.kurke@larc.nasa.gov>;  
<rstephens@hq.nasa.gov>; <jsteptoe@hq.nasa.gov>; <sthompso@hq.nasa.gov>;  
<Lgiza@hq.nasa.gov>; <Bruce.H.Anderson@nasa.gov>

Sent: Saturday, February 01, 2003 8:16 PM

Subject: Re: Columbia

- > One more example of how we came together to support our client.. When we
- > were trying to work out the possible debris issue in Louisiana, Ken
- called.
- > A very short time later the matter was done. Thanks Ken.
- >

**Kathy Ann Kurke, 08:41 PM 2/2/2003 -0500, Fw: Aviation Weekly**

---

Reply-To: "Kathy Ann Kurke" <k.a.kurke@larc.nasa.gov>  
From: "Kathy Ann Kurke" <k.a.kurke@larc.nasa.gov>  
To: "Tom McMurry" <w.t.mcmurry@larc.nasa.gov>,  
"Shawn Gallagher" <S.T.GALLAGHER@larc.nasa.gov>,  
"Sharon Seward" <s.s.seward@larc.nasa.gov>,  
"Pete Polen" <C.A.POLEN@larc.nasa.gov>,  
"MICHAEL MARK I" <M.I.MARK@larc.nasa.gov>,  
"Kevin Love" <K.E.LOVE@larc.nasa.gov>,  
"Ken Wilson" <K.G.WILSON@larc.nasa.gov>,  
"Ken Goetzke" <K.H.GOETZKE@larc.nasa.gov>,  
"Karen Smith" <K.L.S.SMITH@larc.nasa.gov>,  
"Karen Reilley" <K.M.REILLEY@larc.nasa.gov>,  
"Jon Arena" <J.A.ARENA@larc.nasa.gov>,  
"Dawn Drabeck" <d.s.drabeck@larc.nasa.gov>,  
"Bridgette M Singleton" <b.m.singleton@larc.nasa.gov>,  
"Linda Blackburn" <L.B.BLACKBURN@larc.nasa.gov>

Subject: Fw: Aviation Weekly

Date: Sun, 2 Feb 2003 20:41:13 -0500

X-Mailer: Microsoft Outlook Express 6.00.2720.3000

FYI

----- Original Message -----

**From:** WINCHELL, MICHAEL G., JD (MIKE) (JSC-AL) (NASA)

**To:** [bruce.anderson-1@ksc.nasa.gov](mailto:bruce.anderson-1@ksc.nasa.gov) ; [david.samuels@mail.dfrc.nasa.gov](mailto:david.samuels@mail.dfrc.nasa.gov) ;  
[dforbes@hq.nasa.gov](mailto:dforbes@hq.nasa.gov) ; [dwojnaro@hq.nasa.gov](mailto:dwojnaro@hq.nasa.gov) ; [jmannix@hq.nasa.gov](mailto:jmannix@hq.nasa.gov) ;  
[john.w.sikora@larc.nasa.gov](mailto:john.w.sikora@larc.nasa.gov) ; [jsteptoe@hq.nasa.gov](mailto:jsteptoe@hq.nasa.gov) ; [k.a.kurke@larc.nasa.gov](mailto:k.a.kurke@larc.nasa.gov) ;  
[lawrence.watson@gsc.nasa.gov](mailto:lawrence.watson@gsc.nasa.gov) ; Moore, Rita ; Paul Pastorek ;  
[rstephen@hq.nasa.gov](mailto:rstephen@hq.nasa.gov) ; [smauldin@mail.arc.nasa.gov](mailto:smauldin@mail.arc.nasa.gov) ; Stennis Counsel Office ;  
[Timothy S. Howell@hq.nasa.gov](mailto:Timothy_S_Howell@hq.nasa.gov) ; [William.a.hicks@msfc.nasa.gov](mailto:William.a.hicks@msfc.nasa.gov)

**Sent:** Sunday, February 02, 2003 5:23 PM

**Subject:** FW: Aviation Weekly

for scholarly research only..

Aviation Week & Space Technology  
Structural, Systems Integrity Focus Of Shuttle Probe  
By William Scott

Investigators probing the loss of space shuttle Columbia on Feb. 1 at about 9 a.m. EST during reentry will probably focus on structural- and systems-integrity.

Data sent via telemetry from the orbiter are being scrutinized for clues that could explain the vehicle's high-altitude break-up.

"We'll be poring over that data 24 hours a day for the foreseeable future," said Ron Dittimore, NASA's space shuttle program manager.

Although details are still slowly emerging from NASA, it appears that both voice and telemetry signals were lost shortly after Columbia emerged from the "blackout" portion of the reentry. Milt Heflin, NASA's Chief Flight Director, said "all vehicle data" were lost when Columbia was at 207,135 ft. altitude and Mach 18.3.

At a mid-afternoon press briefing, Heflin outlined a sequence of sensor readings and the loss of those readings:

- 8:53 a.m. EST - Lost left wing inboard and outboard hydraulic temperature sensors.
- 8:56 a.m. EST - Left main tire and brake line temperatures increasing.
- 8:58 a.m. EST - "Bondline" temperatures from sensors in the vehicle structure were lost. Three of these were on the left wing's inboard and outboard elevons.
- 8:59 a.m. EST - Left main gear tire temperatures and pressures were lost; these involved eight separate sensor measurements. At about this time, a tire pressure alert was displayed to the shuttle crew, and was apparently acknowledged verbally. This was believed to be the crew's last transmission.

U.S. officials identified several primary areas for investigators' initial focus:

- The trajectory flown by the shuttle as it entered the upper atmosphere. A too-steep approach could cause excessive heating of the vehicle's structure, which could lead to its failure.
- Integrity of the orbiter's structure throughout the reentry.
- The flight controls, including both the reaction control system (RCS) small thrusters that let astronauts fly the orbiter in space -- and aerodynamic surfaces, such as elevons on the aft edge of the wing, which control the vehicle within the atmosphere.
- Possible damage to the thermal protection system (TPS), the white and black tiles that protect the vehicle from excessive heat. During Columbia's liftoff, a piece of insulation from the external fuel tank fell off and hit the orbiter, apparently on the leading edge of the left wing. Whether this impact

significantly damaged protective tiles or not, and had any effect on the shuttle orbiter's ultimate breakup during reentry, is being studied.

"We spent a goodly amount of time reviewing" film of the insulation falling off, "and then analyzing" it to see "would there be any consequences," Dittmore told reporters. "It was judged that that event did not represent a safety concern. As we look at that now in hindsight, and certainly we have, all the indications were on the left wing. We can't discount that there might be a connection, but we can't rush to judgment on it."

Information from several Defense Dept. space-monitoring facilities will also be key to the investigation. Infrared sensors on U.S. Defense Support Program (DSP) satellites are believed to have captured data that could help NASA determine what was happening to Columbia during reentry. Officials at the North American Aerospace Defense Command (NORAD) said they are supporting NASA, but declined to comment on specifics.

NORAD provides missile warning and space-object tracking primarily for defense purposes, but its Space Control Center in Cheyenne Mountain, Colo., also monitors shuttle launches and on-orbit operations. Using a number of space surveillance systems, NORAD, Air Force Space Command and U.S. Strategic Command provide debris-avoidance information to NASA when the shuttle is in space.



**Kathy Ann Kurke, 07:11 PM 2/1/2003 -0500, Fw: Columbia**

---

Reply-To: "Kathy Ann Kurke" <k.a.kurke@larc.nasa.gov>  
From: "Kathy Ann Kurke" <k.a.kurke@larc.nasa.gov>  
To: "Tom McMurry" <w.t.mcmurry@larc.nasa.gov>,  
"Shawn Gallagher" <S.T.GALLAGHER@larc.nasa.gov>,  
"Sharon Seward" <s.s.seward@larc.nasa.gov>,  
"Pete Polen" <C.A.POLEN@larc.nasa.gov>,  
"MICHAEL MARK I" <M.I.MARK@larc.nasa.gov>,  
"Kevin Love" <K.E.LOVE@larc.nasa.gov>,  
"Ken Wilson" <K.G.WILSON@larc.nasa.gov>,  
"Ken Goetzke" <K.H.GOETZKE@larc.nasa.gov>,  
"Karen Smith" <K.L.S.SMITH@larc.nasa.gov>,  
"Karen Reilly" <K.M.REILLEY@larc.nasa.gov>, "Jon Arena"@larc.nasa.gov,  
"Dawn Drabeck" <d.s.drabeck@larc.nasa.gov>,  
"Bridgette M Singleton" <b.m.singleton@larc.nasa.gov>,  
"Linda Blackburn" <L.B.BLACKBURN@larc.nasa.gov>

Subject: Fw: Columbia

Date: Sat, 1 Feb 2003 19:11:51 -0500

X-Mailer: Microsoft Outlook Express 6.00.2720.3000

FYI

----- Original Message -----

From: "Kathy Ann Kurke" <k.a.kurke@larc.nasa.gov>  
To: "WINCHELL, MICHAEL G., JD (MIKE) (JSC-AL) (NASA)"  
<michael.g.winchell@nasa.gov>; <PPastore@hq.nasa.gov>;  
<rstephens@hq.nasa.gov>; <jsteptoe@hq.nasa.gov>; <sthompso@hq.nasa.gov>;  
<Lgiza@hq.nasa.gov>; <Bruce.H.Anderson@nasa.gov>  
Sent: Saturday, February 01, 2003 7:11 PM  
Subject: Re: Columbia

- > Mike and Bruce-
- > My staff is, of course, feeling awful about what happened. I want to make
- > the same offer to you that we did to HQ - If there is anything we can do
- > to
- > help you guys out - please let us know. Processing claims, taking the
- > load
- > of routine stuff off of you, assisting in difficult legal issues,

whatever.

> We want to help.

> Kathy

> ----- Original Message -----

> From: "WINCHELL, MICHAEL G., JD (MIKE) (JSC-AL) (NASA)"

> <michael.g.winchell@nasa.gov>

> To: <PPastore@hq.nasa.gov>; <k.a.kurke@larc.nasa.gov>;

> <rstephens@hq.nasa.gov>; <jsteptoe@hq.nasa.gov>; <sthompso@hq.nasa.gov>;

> <Lgiza@hq.nasa.gov>; <Bruce.H.Anderson@nasa.gov>

> Sent: Saturday, February 01, 2003 6:53 PM

> Subject: Re: Columbia

>

>

>> I was so proud of our team; people poured in to try and help. My entire

>> office was in by 9. I called Doug hendriksen at his house, he was at

>> work

>> trying to help. Thanks to Bruce and Doug for all they did today. I

>> called

>> HQ Jay and Bob were there, I thought we needed to get Don Schiller's

>> help--he was there too.

>>

>> Only under stress can you see strength. MikeW

>>

>

Reply-To: "Kathy Ann Kurke" <k.a.kurke@larc.nasa.gov>  
From: "Kathy Ann Kurke" <k.a.kurke@larc.nasa.gov>  
To: "Tom McMurry" <w.t.mcmurry@larc.nasa.gov>,  
"Shawn Gallagher" <S.T.GALLAGHER@larc.nasa.gov>,  
"Sharon Seward" <s.s.seward@larc.nasa.gov>,  
"Pete Polen" <C.A.POLEN@larc.nasa.gov>,  
"MICHAEL MARK I" <M.I.MARK@larc.nasa.gov>,  
"Kevin Love" <K.E.LOVE@larc.nasa.gov>,  
"Ken Wilson" <K.G.WILSON@larc.nasa.gov>,  
"Ken Goetzke" <K.H.GOETZKE@larc.nasa.gov>,  
"Karen Smith" <K.L.S.SMITH@larc.nasa.gov>,  
"Karen Reilly" <K.M.REILLEY@larc.nasa.gov>, "Jon Arena"@larc.nasa.gov,  
"Dawn Drabeck" <d.s.drabeck@larc.nasa.gov>,  
"Bridgette M Singleton" <b.m.singleton@larc.nasa.gov>,  
"Linda Blackburn" <L.B.BLACKBURN@larc.nasa.gov>

Subject: Fw: Columbia

Date: Sat, 1 Feb 2003 19:08:49 -0500

X-Mailer: Microsoft Outlook Express 6.00.2720.3000

FYI

----- Original Message -----

From: <PPastore@hq.nasa.gov>

To: <k.a.kurke@larc.nasa.gov>; <michael.g.winchell@nasa.gov>;  
<rstephens@hq.nasa.gov>; <jsteptoe@hq.nasa.gov>; <sthompso@hq.nasa.gov>;  
<Lgiza@hq.nasa.gov>; <Bruce.H.Anderson@nasa.gov>

Sent: Saturday, February 01, 2003 6:43 PM

Subject: Columbia

> It's been a difficult day, but I continue to be proud of NASA, especialy  
> in  
> light of the way it has conducted itself, and its employees, through this  
> very tragic episode.  
>  
> I appreciate all of you who pitched in and all who offered support. It is  
> gratifying.  
>

- > Let's stick together and do our best to execute our tasks as they are
- > assigned.
- >
- > I will be in touch later.
- >
- > Paul
- >
- >
- >
- >
- >

**Kathy Ann Kurke, 07:08 PM 2/1/2003 -0500, Fw: The Columbia Disaster - and our of**

Reply-To: "Kathy Ann Kurke" <k.a.kurke@larc.nasa.gov>  
From: "Kathy Ann Kurke" <k.a.kurke@larc.nasa.gov>  
To: "Tom McMurry" <w.t.mcmurry@larc.nasa.gov>,  
"Shawn Gallagher" <S.T.GALLAGHER@larc.nasa.gov>,  
"Sharon Seward" <s.s.seward@larc.nasa.gov>,  
"Pete Polen" <C.A.POLEN@larc.nasa.gov>,  
"MICHAEL MARK I" <M.I.MARK@larc.nasa.gov>,  
"Kevin Love" <K.E.LOVE@larc.nasa.gov>,  
"Ken Wilson" <K.G.WILSON@larc.nasa.gov>,  
"Ken Goetzke" <K.H.GOETZKE@larc.nasa.gov>,  
"Karen Smith" <K.L.S.SMITH@larc.nasa.gov>,  
"Karen Reilley" <K.M.REILLEY@larc.nasa.gov>, "Jon Arena"@larc.nasa.gov,  
"Dawn Drabeck" <d.s.drabeck@larc.nasa.gov>,  
"Bridgette M Singleton" <b.m.singleton@larc.nasa.gov>,  
"Linda Blackburn" <L.B.BLACKBURN@larc.nasa.gov>  
Subject: Fw: The Columbia Disaster - and our offer to assist you.  
Date: Sat, 1 Feb 2003 19:08:37 -0500  
X-Mailer: Microsoft Outlook Express 6.00.2720.3000

FYI

----- Original Message -----

From: "Robert Stephens" <rstephen@hq.nasa.gov>  
To: "Kathy Ann Kurke" <k.a.kurke@larc.nasa.gov>  
Sent: Saturday, February 01, 2003 3:54 PM  
Subject: Re: The Columbia Disaster - and our offer to assist you.

> Thanks. We're O.K. right now.  
>  
> As to the case, I'll get back to you, but I think that will get pushed  
back.  
>  
>  
> At 03:14 PM 2/1/2003 -0500, you wrote:  
> >Paul and Bob:  
> >  
> >My staff and I stand ready to assist you all in any way we can - in

support

>>of whatever legal issues arise out of this horrible disaster. I have  
>>received calls from staff attorneys offering to serve on a claims team -

or

>>whatever you need.

>>

>>I can be reached at home at [REDACTED], cell at [REDACTED]; or the

>>office at 757-864-3221.

>>

>>I will also await your instructions regarding the EEO case. I would

assume

>>that will be put on hold. Yes?

>>

>>I know this is going to be a real test of the NASA leadership - (and, of  
>>course, to the entire NASA Family). As I said before, LaRC OCC is anxious

to

>>assist as you meet those challenges.

>>

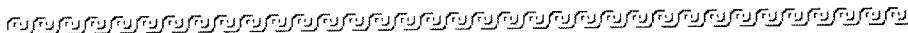
>>Kathy

>

>

>

### Legal Database



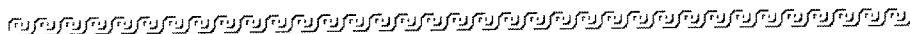
There are 6 matching records.

Displaying matches 1 through 6.

Make Window Landscape to view data more easily.

Search Criteria - Columbia

Corres Log #	Legal Log #	POC	Assigned To	ReAssigned To	Area of LAW	Description	Status
✓	SB.03.0159	Randy B. Cone	Pete Polen		Human Relations & Ethics	Exchange Council Request to Donate to Salvation Army to assist in Columbia Recovery Effort	Completed
<del>2070-1382</del>	SB.03.0171	Cheryl Cleghorn	Tom McMurry	<i>Date In 2/7/03</i>	Business Law	Columbia - Daily Press	Completed
<del>2070-1382</del>	SB.03.0174	Mike Finneran	Kathy Kurke	<i>2/6/03</i>	Business Law	Third-Party Requests for Columbia (STS-107) Records	Completed
✓	SB.03.0175	Del Freeman	Kathy Kurke		Business Law	Space Shuttle Columbia (STS-107) Assistance Memo to LaRC Civil Servants	Completed
<del>2070-1382</del>	SB.03.0196	Mary M. Skora	Kathy Kurke	<i>2/12/03</i>	Business Law	Release of a Series of E-mails and Attachments Regarding Input from LaTC to JSC on Possible Results of Tile Damage to Columbia, STS-107	Completed
	SB.03.0230	Cheryl Cleghorn	Kathy Kurke		Office Administration	03-41, Space Shuttle Columbia, STS-107, Records	Active



Back to [OCC](#) Correspondence HomePage.

*SB-12*

**URGENT!**  
**Freedom of Information Act (FOIA) Request**

**(FOIA Request #03-41)**

Date Received in FOIA Office: 2/5/03

Date Sent to Responsible Office: 2/10/03

Date Due back to FOIA Office: 2/18/03

Date Returned to FOIA Office:

LaRC has received a FOIA request for *all official NASA Langley records, correspondence, e-mails or other documentation created between January 16, 2003 and February 5, 2003, pertaining to Columbia Mission, STS-107*. This would include all correspondence between LaRC and JSC, HQ and KSC. It would also include all documents and emails produced at LaRC, between 16 January and 5 February that relate to the Columbia Mission, STS-107. The requester is particularly interested in (but not limited to) records that deal with any problems that arose during STS-107 flight, including information about the shuttle's tires, tiles, any documentation where Langley warned of dangers Columbia might face when re-entering the atmosphere, and documents submitted to NASA officials investigating the Columbia tragedy.

**ACTION:**

In order to comply with this request:

1. Have your staff conduct a search of materials in their possession and work area that is responsive to this request and submit it to their respective Program or Competency Office. Advise your staff that it has a legal duty to thoroughly review records and computer files and email in its possession and to accurately and completely identify and produce all responsive records.
2. Have your staff forward all responsive records to a central point of contact within your organization. Program or Competency Office should hand carry any responsive material collected to LaRC's FOIA Officer, Cheryl Cleghorn, in Bldg. 1153, Rm 201 no later than February 18, 2003.
3. Advise your staff to flag any information in the responsive documentation that your staff believes ~~you believe~~ would be inappropriate for release, and indicate why it should not ~~you think it should not~~ be released. The Center will not release flagged materials without thoroughly considering your concerns and conducting an appropriate legal review of your concerns and applicable laws and regulations.



4. ~~If you have no documents responsive to this request~~If your organization has no responsive documents, please submit a "No Records" response via e-mail to [c.w.cleghorn@larc.nasa.gov](mailto:c.w.cleghorn@larc.nasa.gov).

**NOTE:**

All documentation generated in response to this request will receive legal review by LaRC's Office of Chief Counsel for determination of "releasability" in accordance with applicable laws and regulations. If you have any questions regarding this request, contact Cheryl Cleghorn (FOIA Office) at 864-2497 or Tom McMurry (Office of Chief Counsel) at 864-3708.

Thank you for your cooperation in this matter.

Cheryl Cleghorn  
LaRC FOIA Officer

**URGENT!**  
**Freedom of Information Act (FOIA) Request**

**(FOIA Request #03-41)**

Date Received in FOIA Office: 2/5/03

Date Sent to Employees:

Date Due from Employees to Competencies:

Date Due Back from Competencies to FOIA Office:

Date Returned to FOIA Office:

LaRC has received a FOIA request for *all official NASA Langley records, correspondence, e-mails or other documentation created between January 16, 2003 and February 5, 2003, pertaining to Columbia Mission, STS-107*. This would include all correspondence between LaRC and JSC, HQ and KSC. It would also include all documents and emails produced at LaRC that relate to the Columbia Mission, STS-107. The requester is particularly interested in (but not limited to) records that deal with any problems that arose during STS-107 flight, including information about the shuttle's tires, tiles, any documentation where Langley warned of dangers Columbia might face when re-entering the atmosphere, and documents submitted to NASA officials investigating the Columbia tragedy.

**ACTION:**

In order for the Center to comply with this request, you must accomplish the following pursuant to applicable FOIA laws and regulations:

1. Conduct a search of materials in your possession and within your work areas, including emails and files located on your computers, that is responsive to this request and submit it to your Program or Competency Office. Please note that you have a legal duty to thoroughly review your records and computer files and accurately and completely identify and produce responsive records. You may forward electronic records and email via email to your Program or Competency point of contact (see list below).
2. Program or Competency Offices should hand carry any responsive material collected to LaRC's FOIA Officer, Cheryl Cleghorn, in Bldg. 1153, Rm 201 no later than February 18, 2003.
3. Flag any information in the responsive documentation that you believe would be inappropriate for release, and indicate why you think it should not be released. The Center will not release flagged materials without thoroughly considering your

concerns and conducting an appropriate legal review of your concerns and applicable laws and regulations.

4. If you have no documents responsive to this request, please submit a "No Records" response via e-mail to ??
5. Program/Competency Points of Contact:

**NOTE:**

All documentation generated in response to this request will receive legal review by LaRC's Office of Chief Counsel for determination of "releasability" in accordance with applicable laws and regulations. If you have any questions regarding this request, contact Cheryl Cleghorn (FOIA Office) at 864-2497 or Tom McMurry (Office of Chief Counsel) at 864-3708.

Thank you for your cooperation in this matter.

Cheryl Cleghorn  
LaRC FOIA Officer







This is to remind everyone of proper procedures for processing "third party" requests to LaRC for records and data related to the Columbia/STS-107 accident and related investigations (Columbia related records). This message does not describe new procedures but explains the application of existing Freedom of Information Act (FOIA) procedures (14 C.F.R. Section 1206) to third-party requests for Columbia related records.

All third party requests for Columbia related records are to be processed under NASA's FOIA procedures and LAPD 1300.2. Third party requests are requests from any person or organization other than: 1) NASA Employees; 2) NASA contractors involved in the Columbia accident investigation or involved in the Shuttle program; 3) other Federal Agencies; or 4) the Columbia Accident Investigation Board (CAIB) chaired by Adm. Gehman and its supporting contractors.

LAPD 1300.2 provides that the FOIA Officer serves as the LaRC focal point for requests for release of information and records to third-parties. Anyone receiving third-party requests for Columbia related records must provide the requests and responsive records to the FOIA Officer who will make the appropriate response to the requesting party. Oral requests by a third-party for Columbia-related records must be reduced to writing and submitted to the LaRC FOIA Officer. The LaRC FOIA Officer, Cheryl Cleghorn may be reached at [FOIA@larc.nasa.gov](mailto:FOIA@larc.nasa.gov) or by calling 864-2497.

The FOIA Officer and the Office of Chief Counsel (OCC) FOIA team will work together to expeditiously review all draft responses and promptly process all requests. All records released will be published promptly on a publicly available web site to be established by HQ PAO. Any questions of a legal nature regarding FOIA requests should be directed to Tom McMurry at [w.t.mcmurry@larc.nasa.gov](mailto:w.t.mcmurry@larc.nasa.gov) or by calling the OCC at 864-3221.

The FOIA Officer has already received broad requests that will require coordination across the Center to locate documents, data, emails and other records within your organizations. Center employees have a duty to diligently respond to the FOIA Officer's requests for records. This means that, when requested, employees should thoroughly consider whether they have records responsive to requests. Employees who have responsive records should immediately notify the FOIA officer of the existence of those records and provide the records to the FOIA Officer in a timely fashion.

It is important to comply with these standard procedures to assure timely responses to requests and thorough documentation of all records requested by and released to third parties.

**DRAFT 2/5/03 6:00 P.M. Eastern Time**

TO: PAO/FOIA Offices

FROM: Assistant Administrator, Office of Public Affairs

SUBJECT: Requests for Records Related to the Columbia Accident

DATE: February \_\_, 2003

This memorandum establishes the procedures for processing “third party” requests to NASA Centers and Headquarters for all records related to the Columbia/STS-107 accident and related investigations (referred to below as “Columbia-related records”). *This memorandum does not establish new procedures, but instead addresses the application of NASA’s existing Freedom of Information Act procedures (14 C.F.R. Section 1206) to the unique situation at hand.* The goals of this process include assurance of timely responses to requests, thorough documentation of all records requested by and released to third parties, and publication of those records through a NASA internet web site described below.

This policy applies to all “third parties,” which is any person or organization other than: 1) NASA employees, 2) NASA contractors involved in the Columbia accident investigation or involved in the Shuttle program, 3) other Federal agencies, and 4) the Columbia Accident Investigation Board (CAIB) chaired by Adm. Gehman, and its supporting contractors. The following procedural guidelines will be followed in handling third-party requests:

- **Processing requests:**

- Any request from third-parties for Columbia-related records will be processed under NASA’s Freedom of Information Act (FOIA) procedures, 14 C.F.R. Part 1206, including log-in/log out of all requests.
- Any oral request by a third party for Columbia-related records must be reduced to writing and submitted to the appropriate PAO/FOIA office.
- All draft responses (initial determinations) will be reviewed expeditiously by Chief Counsel (Code GG for Headquarters) and appropriate technical personnel.
- All requests will be processed promptly: the requests and records determined responsive to the requests will be promptly located and reviewed, and timely decisions will be made concerning releasability.
- [Dave Kings’ group in Lufin – need to discuss procedures]

- **Daily lists of requests:**



- Center and HQ FOIA offices will compile a daily list of Columbia-related requests and forward their lists daily to a designated attorneys (listed below) in the Center Chief Counsel's/General Counsel (Code GG) office.
- **Publicly available web site for released records:**
  - Centers' and HQ FOIA Officers will provide NASA Headquarters PAO with all initial determinations and released records [in digital format] on the date they are issued to the requesting party.
  - These records will be published promptly on a publicly available web site to be established by HQ PAO.
- **Chief Counsels' Designated Attorneys:**

Ames:	George Sloup
Dryden:	Blakely A Lord
Glenn:	Kaprice Harris
Goddard:	David Schuman
JPL/NMO:	Tim Howell
KSC:	Geoff Swanson
LaRC:	Tom McMurry
Marshall:	Christi Dame
Stennis:	Robert Magnuson

cc:  
Center News Chiefs

# GRATUITUOUS SERVICE AGREEMENT

## ARTICLE 1.0 BACKGROUND AND PURPOSE

This Agreement sets forth the conditions under which I may render gratuitous services to NASA. These gratuitous services involve support for the investigation of the loss of the Space Shuttle Columbia on February 1, 2003, specifically I will be \_\_\_\_\_

\_\_\_\_\_. In conformance with Article 2.3 I agree to coordinate my activities under this Agreement through the Structures and Materials Competency, Langley Research Center.

## ARTICLE 2.0 INTELLECTUAL PROPERTY AND DATA RIGHTS

2.1 NASA has exclusive rights to all data generated by, or resulting from, the gratuitous services provided under this Agreement. I will comply with NASA policies and procedures before releasing any such data.

2.2 In the performance of this Agreement, I may have access to, be furnished, or use data of third parties which the United States (U.S.) Government has agreed to handle under protective arrangements and/or U.S. Government data, the use and dissemination of which the U.S. Government intends to control. In order to protect the interests of the U.S. Government and the owners, licensors, and licensees of such data, I agree, with respect to any such third party or U.S. Government data to: (1) use, disclose and reproduce such data only to the extent necessary to perform the work required under this Agreement; (2) preclude access and disclosure of such data to unauthorized persons; and (3) return or dispose of such data, as NASA may direct, when the data is no longer needed for performance of this Agreement. Notwithstanding the above, I shall not be restricted in use, disclosure, and reproduction of any data that is in the public domain at the time of disclosure or thereafter enters the public domain without breach of this Agreement by me; is known to me at the time of disclosure; has been disclosed to me without restriction from NASA; has become known to me without similar restrictions from a source other than NASA, that source having the right to disclose; or is required to be produced by me pursuant to a court order or other U.S. Government action. If I believe that any of these events or conditions that remove restriction on the use, disclosure, and reproduction of the data apply, I shall promptly notify NASA of such belief before acting on such belief, and, in any event, shall give notice to NASA before unrestricted use, disclosure, or reproduction of such data.

2.3 I will not represent myself as an agent, representative, or spokesperson of NASA regarding any work performed in furtherance of this Agreement or the loss of the Space Shuttle Columbia. I will comply with NASA policies and procedures before discussing the nature or results of my work under this Agreement with any entity or individual not employed by NASA.

## ARTICLE 3.0 WAIVER OF RIGHTS

I will not pursue any claims against the U.S. Government or its employees. This provision includes, but is not limited to, claims for money, reimbursement for expenses and claims for compensation or injuries I may suffer while performing work under this Agreement. I waive any and all claims against the U.S. Government on account of such gratuitous service performed under this Agreement. This Article does not waive remedies otherwise available to me under the Federal Tort Claims Act.

## ARTICLE 4.0 COSTS AND FUNDING

There will be no transfer of funds or other financial obligation in connection with this Agreement. I will fund my own participation under this Agreement. No provision of this Agreement shall be interpreted to require obligation or payment of funds in violation of the Anti-Deficiency Act, Title 31 U.S.C. § 1341.

## ARTICLE 5.0 PERIOD OF AGREEMENT AND TERMINATION

This Agreement becomes effective upon the date of my signature below. This Agreement shall remain in effect until terminated by NASA.

**By signing this Agreement, I acknowledge that I enter into this Agreement voluntarily and that the Agency has imposed no pressure, duress, or coercion in connection with the execution of this document.**

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
DATE

# GRATUITUOUS SERVICE AGREEMENT

## ARTICLE 1.0 BACKGROUND AND PURPOSE

This Agreement sets forth the conditions under which I may render gratuitous services to NASA. These gratuitous services involve support for the investigation of the loss of the Space Shuttle Columbia on February 1, 2003, specifically, \_\_\_\_\_

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## ARTICLE 2.0 INTELLECTUAL PROPERTY AND DATA RIGHTS

2.1 NASA has exclusive rights to all data generated by, or resulting from, the gratuitous services provided under this Agreement. I will comply with NASA policies and procedures before releasing any such data.

2.2 In the performance of this Agreement, I may have access to, be furnished, or use data of third parties which the United States (U.S.) Government has agreed to handle under protective arrangements and/or U.S. Government data, the use and dissemination of which the U.S. Government intends to control. In order to protect the interests of the U.S. Government and the owners, licensors, and licensees of such data, I agree, with respect to any such third party or U.S. Government data to: (1) use, disclose and reproduce such data only to the extent necessary to perform the work required under this Agreement; (2) preclude access and disclosure of such data to unauthorized persons; and (3) return or dispose of such data, as NASA may direct, when the data is no longer needed for performance of this Agreement. Notwithstanding the above, I shall not be restricted in use, disclosure, and reproduction of any data that is in the public domain at the time of disclosure or thereafter enters the public domain without breach of this Agreement by me; is known to me at the time of disclosure; has been disclosed to me without restriction from NASA; has become known to me without similar restrictions from a source other than NASA, that source having the right to disclose; or is required to be produced by me pursuant to a court order or other U.S. Government action. If I believe that any of these events or conditions that remove restriction on the use, disclosure, and reproduction of the data apply, I shall promptly notify NASA of such belief before acting on such belief, and, in any event, shall give notice to NASA before unrestricted use, disclosure, or reproduction of such data.

2.3 I will not represent myself as an agent, representative, or spokesperson of NASA regarding any work performed in furtherance of this Agreement or the loss of the Space Shuttle Columbia. I will comply with NASA policies and procedures before discussing the nature or results of my work under this Agreement with any entity or individual not employed by NASA.

## ARTICLE 3.0 WAIVER OF RIGHTS

I will not pursue any claims against the U.S. Government or its employees. This provision includes, but is not limited to, claims for money, reimbursement for expenses and claims for compensation or injuries I may suffer while performing work under this Agreement. I waive any and all claims against the U.S. Government on account of such gratuitous service performed under this Agreement. This Article does not waive remedies otherwise available to me under the Federal Tort Claims Act.

## ARTICLE 4.0 COSTS AND FUNDING

There will be no transfer of funds or other financial obligation in connection with this Agreement. I will fund my own participation under this Agreement. No provision of this Agreement shall be interpreted to require obligation or payment of funds in violation of the Anti-Deficiency Act, Title 31 U.S.C. § 1341.

## ARTICLE 5.0 PERIOD OF AGREEMENT AND TERMINATION

This Agreement becomes effective upon the date of my signature below. This Agreement shall remain in effect until terminated by NASA.

**By signing this Agreement, I acknowledge that I enter into this Agreement voluntarily and that the Agency has imposed no pressure, duress, or coercion in connection with the execution of this document.**

---

**SIGNATURE**

---

**DATE**

# GRATUITUOUS SERVICE AGREEMENT

## ARTICLE 1.0 BACKGROUND AND PURPOSE

This Agreement sets forth the conditions under which \_\_\_\_\_ may render gratuitous services to NASA. These gratuitous services involve the investigation of the loss of the Space Shuttle Columbia on January 16, 2003, specifically, \_\_\_\_\_

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## ARTICLE 2.0 INTELLECTUAL PROPERTY AND DATA RIGHTS

NASA has exclusive rights to all data generated by, or resulting from, the gratuitous services provided under this Agreement.

## ARTICLE 3.0 WAIVER OF RIGHTS

The individual performing services under this agreement will not pursue any claims against the United States, NASA or the Langley Research Center or its employees. This provision includes, but is not limited to, claims for money, reimbursement for expenses and claims for compensation. The individual performing services under this agreement waives any and all claims against the government on account of such gratuitous service performed under this Agreement.

## ARTICLE 4.0 COSTS AND FUNDING

There will be no transfer of funds or other financial obligation in connection with this Agreement. The individual performing services under this agreement will fund his/her own participation under this Agreement. No provision of this Agreement shall be interpreted to require obligation or payment of funds in violation of the Anti-Deficiency Act, Title 31 U.S.C. § 1341.

## ARTICLE 5.0 LIABILITIES

The individual performing services under this agreement will not pursue any claims against the United States for any injuries that may arise under gratuitous services that may be performed under this Agreement. This Article does not waive remedies otherwise available under the Federal Tort Claims Act.

## ARTICLE 6.0 PERIOD OF AGREEMENT AND TERMINATION

This Agreement becomes effective upon the date of the signature below. This Agreement shall remain in effect until terminated by NASA.

By signing this Agreement, I acknowledge that I enter into this Agreement voluntarily and that the Agency has imposed no pressure, duress, or coercion in connection with the execution of this document.

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
DATE



February 6, 2003

106

TO: LaRC Civil Servants  
FROM: 106/Acting Director  
SUBJECT: Space Shuttle Columbia (STS-107)

I join our Langley family in mourning the tragic losses related to the Columbia disaster. I also share the intense desire to do everything possible to assist investigators as they strive to determine the cause of the tragedy and prevent it from happening again. In response to the inquiries I have received regarding offers of technical assistance and pertinent information, you should be apprised of the following procedures.

NASA is directing all information pertinent to the investigation to the mishap investigation team via the Emergency Operations Center (EOC). If you have information you feel is pertinent to the investigation, I encourage you to immediately forward it to the EOC. Information forwarded to the EOC is being safeguarded, processed, and forwarded to the appropriate officials.

Pertinent information, including documents, statements or other data may be faxed to the EOC at (281) 483-0002 or (281) 483-4215. You can also contact the EOC directly by calling (281) 483-9778. Any form of electronic documentation or data may also be emailed to the EOC at [columbiaimages@nasa.gov](mailto:columbiaimages@nasa.gov). If these points of contact change, revised information will be posted on @LaRC. There is no requirement to copy Center management on any information that you forward; however, please feel free to do so if you wish.

You may also receive requests for information, documents or data from investigators as they begin the task of sorting through and evaluating the information they encounter. I share the commitment to fully comply with our moral, professional and legal obligations to provide full, open and completely truthful information to the investigators.

Another source of inquiry may be third party non-governmental organizations that have nothing to do with the official investigation(s). Such requests should be processed through existing Freedom of Information Act (FOIA) procedures. Accordingly, refer requests from third-party non-governmental organizations to LaRC's FOIA officer, Cheryl Cleghorn at [FOIA@larc.nasa.gov](mailto:FOIA@larc.nasa.gov). Cheryl is also available at 864-2497. All FOIA requests for Columbia related documents or data will receive legal review and be processed in accordance with FOIA laws and regulations.

In addition, recognizing the LaRC expertise in matters that may be relevant to the investigation, I have offered our technical support and assistance to NASA Headquarters. I have no doubt that when our expertise is needed, we will be called upon.

We can all take solace in that LaRC stands committed to assist with the Columbia investigation in a manner that is forthright and dedicated to establishing all relevant facts and circumstances. If you perceive any inclination to the contrary, advise me immediately. Rest assured, this Center is dedicated to an investigation that is beyond reproach.

Finally, I understand the immense sense of loss that we as part of the NASA family are feeling. Please take advantage of our Employee Assistance Program (EAP)—it is there for you, especially under such trying conditions. The EAP is a confidential service providing short-term counseling at no cost. The EAP can be reached at 1-800-950-3434 or 826-8565. Counselors are available 24 hours a day, 7 days a week.

Delma C. Freeman  
44111

cc:  
101/CRM  
106/EOA  
106/EOT  
115/Head, OEA  
141/Chief Counsel

141/WTMcMurry:cls 2/5/2003 (43708)

115/MPF

141/KAK

February 6, 2003

141

TO: LaRC Civil Servants  
FROM: 106/Acting Center Director  
SUBJECT: Space Shuttle Columbia (STS 107)

I join our Langley family in mourning the tragic losses related to the Columbia disaster. I also share the intense desire, repeatedly expressed to my office, to do everything possible to assist investigators as they strive to determine the cause of the tragedy and prevent it from ever happening again. In response to the inquiries that I have received regarding offers of technical assistance and pertinent information, you should be apprised of the following information procedures.

NASA is currently directing all information pertinent to the investigation to the Emergency Operations Center (EOC). If you have any information that you feel is pertinent to the investigation, I encourage you to immediately forward it to the EOC. You may be assured that information forwarded to the EOC is being appropriately safeguarded, immediately processed, and forwarded to the appropriate responsible officials.

Pertinent information, including documents, statements or other data may be faxed to the EOC at (281) 483-0002 or (281) 483-4215. You can also contact the EOC directly by calling (281) 483-9778. Any form of electronic documentation or data may also be emailed to the EOC, along with an accompanying explanation, at the following address: [columbiainages@nasa.gov](mailto:columbiainages@nasa.gov). We will provide you with more detailed information on points of contact as they become available in the next few days. There is no requirement to send a copy of information forwarded to the EOC to Center management. However, if you desire to apprise local management of any information that you consider pertinent, please feel free to do so.

You may also encounter requests for information, documents or data from investigators as they begin the lengthy task of sorting through and evaluating all of the information that they encounter. I share the commitment, already being expressed, to fully comply with our moral, professional and legal obligations to provide full, open and completely truthful information to the investigators.

Another source of inquiry may be third party non-governmental organizations that have nothing to do with the official investigation(s) into the matter. Any such requests should be processed through existing Freedom of Information Act (FOIA) procedures. Accordingly, refer requests from such third-party non-governmental organizations to LaRC's FOIA officer, Cheryl Cleghorn



at [FOIA@larc.nasa.gov](mailto:FOIA@larc.nasa.gov). Cheryl is also available at 864-2497. All FOIA requests for Columbia related documents or data will receive legal review and shall be processed in accordance with applicable FOIA laws and regulations.

In addition, recognizing the LaRC expertise in technical matters that may be highly relevant to the investigation, I have offered our technical support and assistance through appropriate individuals at NASA Headquarters. I am assured that the investigators will recognize LaRC's expertise and have no doubt that when reliance on any such expertise becomes warranted, our expertise will be called upon in due course as the investigation proceeds.

For the time being, if you have any thoughts, considerations or information that you consider pertinent to the investigation, please immediately forward such information to the EOC at the above addresses.

I hope we can all take some solace in recognizing that LaRC stands committed to assist with the Columbia investigation in a manner that is completely forthright and absolutely dedicated to establishing all relevant facts and circumstances. If you should perceive even the slightest inclination to the contrary, advise me immediately and rest assured that this Center is completely dedicated to an investigation that is beyond reproach.

Finally, I understand the immense sense of loss, heartache and helplessness that we as part of the NASA family are feeling. I also understand that such grief may be magnified for individuals who may have had unique ties to or interests in the STS 107 mission. Please take advantage of our Employee Assistance Program (EAP) – it is there for you, especially under such trying conditions. The EAP is a confidential service available to provide short-term counseling at no cost. I urge you to call 1-800-950-3434 or 826-8565. Counselors are available 24 hours a day, seven days a week.

Received: from post.larc.nasa.gov (post-a.larc.nasa.gov [192.168.252.45])  
by express.larc.nasa.gov (posvr5.0) with ESMTTP id NAA19072;  
Wed, 5 Feb 2003 13:26:20 -0500 (EST)  
Received: from occ257.larc.nasa.gov (occ257.larc.nasa.gov [128.155.64.113])  
by post.larc.nasa.gov (pohub4.6) with ESMTTP id NAA16266;  
Wed, 5 Feb 2003 13:13:47 -0500 (EST)  
Message-Id: <5.0.2.1.2.20030205121141.0237ee70@pop.larc.nasa.gov>  
X-Sender: c.a.polen@pop.larc.nasa.gov  
X-Mailer: QUALCOMM Windows Eudora Version 5.0.2  
Date: Wed, 05 Feb 2003 13:13:45 -0500  
To: r.b.cone@larc.nasa.gov, s.l.yokum@larc.nasa.gov  
From: Pete Polen <c.a.polen@larc.nasa.gov>  
Subject: Re: Fwd: Re: Fwd: Special Request of the Exchange Council  
Cc: m.p.finneran@larc.nasa.gov  
In-Reply-To: <5.1.0.14.2.20030205120043.04410f08@pop.larc.nasa.gov>  
Mime-Version: 1.0  
Content-Type: multipart/alternative;  
boundary="===== \_189784385==\_.ALT"  
X-UIDL: cdd2f6da3f218cd1c016ab7682e3858b

Randy & Sherri,

I discussed this with Code G and we are in agreement that such a donation is within the spirit of the Exchange NPD, 9050.6G.

Paragraph 1.c.(3) states that Exchanges may, by contract, or otherwise, promote activities contributing to the efficiency, welfare, and morale of NASA employees; and paragraph 1.c.(6) authorizes Exchanges to conduct other activities authorized by the Center Director with prior concurrence of the Center Chief Counsel and Center External Affairs Officer, when activities involve the public and are clearly in NASA's and its employees' interests.

Donating to an organization that is expending effort and funds to assist in the Columbia disaster recovery is something that one could conclude contributes to the morale of NASA employees and is, therefore, clearly related to NASA and the interests of its employees. Making the donation might, at least to some degree, serve to represent the overall desire of employees to help and perhaps bring some relief from the feeling of loss that NASA employees are currently experiencing as a result of the Columbia disaster.

The usual restrictions associated with fund raising through the CFC do not apply to non-appropriated fund activities but relate to soliciting Federal employees for contributions to charitable organizations. Thus, any effort to solicit directly from employees would create potential problems that the current request does not raise. Randy, the points you mention in your previous e-mail about receiving similar requests are valid and must also be weighed in making such a decision. Another issue to ponder is whether the Exchange is in a financially viable position to make such a donation. Certainly the Exchange is not in a financial position to respond if we receive a host of these requests, but I do not anticipate that situation. While the donations from other NASA exchanges will make this request more difficult to decline, the above considerations should be weighed before deciding to donate.

I would suggest following the requirements of paragraph 1.c.(6) to authorize a donation in response to this request. In that case, this e-mail will serve as the concurrence of the LaRC Chief Counsel. I have also copied Mike Finneran, as External Affairs Officer, to determine if he concurs. If so, I believe that

Lana has authority to make the decision authorizing the donation since the Center Director has, by LAPD 9050.9, paragraph 5.a., delegated to the Associate Director for Business Management the responsibility for monitoring and implementing exchange policy.

Please let me know if you need any further assistance.

Pete Polen  
Associate Chief Counsel

At 12:01 PM 2/5/2003 -0500, you wrote:

Pete,

FYI

Randy

X-Info: ODIN / NASA Glenn Research Center

X-Sender: epjohn@popserve.grc.nasa.gov

X-Mailer: QUALCOMM Windows Eudora Version 5.1.1

Date: Wed, 05 Feb 2003 11:01:25 -0500

To: Chris Jedrey <cjedrey@hq.nasa.gov>

From: "John M. Hairston Jr" <John.M.Hairston@nasa.gov>

Subject: Re: Fwd: Special Request of the Exchange Council

Cc: Donald.J.Sawyer@nasa.gov, lhaines@mail.arc.nasa.gov,  
spetersen@mail.arc.nasa.gov, louann.beu@mail.dfrc.nasa.gov,  
jimmy.walker@mail.dfrc.nasa.gov, amecum@gsfc.nasa.gov,  
Betty.j.pyles@gsfc.nasa.gov, James.E.Hattaway@nasa.gov,  
karen.white@hq.nasa.gov, deborah.a.conder1@jsc.nasa.gov,  
greg.w.hayes1@jsc.nasa.gov, Maria.wilson-1@kmail.nasa.gov,  
l.m.couch@larc.nasa.gov, r.b.cone@larc.nasa.gov,  
Steven.P.Durham@msfc.nasa.gov, Axel.Roth@msfc.nasa.gov,  
Jon.B.Roth@ssc.nasa.gov, linda.a.layton.1@gsfc.nasa.gov,  
rnock@pop800.gsfc.nasa.gov, jparker@mail.hq.nasa.gov,  
Kimberly.A.Weaver.1@gsfc.nasa.gov,  
Garry Gaukler <ggaukler@mail.hq.nasa.gov>,  
timothy Sullivan <tsulliva@hq.nasa.gov>

Chris:

Glenn's Exchange Council will donate \$1,000.

John

At 09:00 AM 2/4/2003 -0500, Chris Jedrey wrote:

John,

Sorry I missed you on the original.

Date: Tue, 04 Feb 2003 08:05:05 -0500

To: Donald.J.Sawyer@nasa.gov, lhaines@mail.arc.nasa.gov,  
spetersen@mail.arc.nasa.gov, louann.beu@mail.dfrc.nasa.gov,  
jimmy.walker@mail.dfrc.nasa.gov, amecum@gsfc.nasa.gov,  
Betty.j.pyles@gsfc.nasa.gov, , James.E.Hattaway@nasa.gov,  
karen.white@hq.nasa.gov, deborah.a.conder1@jsc.nasa.gov,  
greg.w.hayes1@jsc.nasa.gov, Maria.wilson-1@kmail.nasa.gov,  
l.m.couch@larc.nasa.gov, r.b.cone@larc.nasa.gov, Steven.P.Durham@msfc.nasa.gov,  
Axel.Roth@msfc.nasa.gov, Jon.B.Roth@ssc.nasa.gov,  
linda.a.layton.1@gsfc.nasa.gov, rnock@pop800.gsfc.nasa.gov,  
jparker@mail.hq.nasa.gov, Kimberly.A.Weaver.1@gsfc.nasa.gov  
From: Chris Jedrey <cjedrey@hq.nasa.gov>

Subject: Fwd: Special Request of the Exchange Council  
Cc: Garry Gaukler <ggaukler@mail.hq.nasa.gov>, timothy Sullivan  
<tsulliva@hq.nasa.gov>

Greetings,

I have been asked to contact each of the Exchanges and ask each to consider a cash donation to the Salvation Army. "The Salvation Army has been in the field providing comfort and support to the recovery teams. They been giving food and shelter to the recovery workers as well as the comfort. To date the Salvation Army has provided about \$25K in support of the recovery effort."

Gary Gaukler from Code M approached me this morning and would like to raise \$25,000 as a donation to the Salvation Army to help defray the expense they are incurring to help us. I told Gary that HQ has a very small operation and does not have a lot of resources but we are willing to pledge \$1,000.00. Since the request to us is minutes old I have not been able to contact all of the Council members at HQ for a vote but I am confident of the \$1,000.00. It may be more once we convene an emergency meeting.

Could I ask each of you to do the same at your Council?-----that is look at what you can afford and let me know the amount? Please cc the others so if they are deliberating they may see what we still need. I am sure that if we happen to exceed \$25,000 it will be greatly appreciated as the expenses continue to mount.

Could you let me know as soon as possible? Today would be great.

X-Sender: ggaukler@mail.hq.nasa.gov  
X-Mailer: QUALCOMM Windows Eudora Version 4.3.2  
Date: Tue, 04 Feb 2003 07:27:34 -0500  
To: Chris Jedrey <cjedrey@mail.hq.nasa.gov>  
From: Garry Gaukler <ggaukler@hq.nasa.gov>  
Subject: Special Request of the Exchange Council

Chris,

I'd like to make an appeal to the Exchange Council to make a donation of \$1,000 to the Salvation Army for their help/aid/support of the Columbia recovery efforts. The Salvation Army has been in the field providing comfort and support to the recovery team. They been giving food and shelter to the recovery workers as well as the comfort. TO date the Salvation Army has provided about \$25K in support of the recovery effort. Any thing we can do to help I'm sure would be appreciated.

As you probably know we can't provide NASA appropriated dollars to a charitable organization. Any amount the Exchange Council could donate would be appreciated.

For Your Own Info - Also, if you could coordinate with some of the other Centers to see if they'd be willing to make donations as well. I been talking to Scott Pace. If we can get a total from HQs and the other Centers, he'd like to do a short press release. It would go something like - "NASA employees, through non-appropriated funds, have donated \$x to the Salvation Army to aid in their support of the recovery efforts .... and so on." This may spawn others to do the same.

How soon do you think I can get a response?

I appreciate your help on this, Thanks,

Garry Gaukler  
OSF Acting Assistant Associate Administrator,  
Business Management Integration & Analysis  
e-mail: ggaukler@hq.nasa.gov  
phone #: 202-358-1013  
fax #: 202-358-2848  
Room #: 7C76

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