National Aeronautics and Space Administration

Headquarters
Washington, DC 20546-0001

October 17, 2007

Reply to Attn of: General Law Practice Group

TO: Distribution

FROM: Alternate Designated Agency Ethics Official

SUBJECT: Approval for Headquarters Employees with Senior Institutional or Project Responsibilities to Attend a Post-launch Reception Sponsored by Boeing Company

In accordance with 5 C.F.R. § 2635.204(g)(2) and (3), I make the following determination:

Certain Headquarters employees with senior institutional or project responsibilities with regard to the Space Shuttle Program, External Tank Project, and Constellation Program have been invited to attend a post-launch reception sponsored by Boeing at the Hilton Hotel, Cocoa Beach, Florida, on or about Tuesday, October 23, 2007, from 8 p.m. to 11 p.m. This event is to be held in conjunction with the launch of STS-120, at the Kennedy Space Center.

This event will be a widely-attended gathering of aerospace industry representatives, members of Congress, NASA employees, and members of the public. The reception is valued at $20 per person and approximately 200 individuals have been invited to attend. I find that the reception meets the requirements of a "widely attended gathering" as defined in 5 C.F.R. § 2635.204(g)(2).

Boeing is a company that is currently involved in the Space Shuttle program, the Constellation program, and other significant contractual matters relating to NASA. Some Headquarters personnel invited to attend this event presently, or may in the near future, have extensive involvement in matters relating to Boeing's business interests.[1] These personnel are similarly situated in that they each have senior institutional or project responsibilities that could significantly influence current or future Boeing contracts.

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[1] These personnel include the NASA Administrator, the Deputy Administrator, the Associate Administrator, the Chief of Staff, the Associate Administrator for SOMD, the Deputy Associate Administrator of SOMD, the Associate Administrator for ESMD, the Deputy Associate Administrator for ESMD, the Associate Administrator for SMD, the Associate Administrator for ARMD, the Associate Administrator for Public Affairs, the Associate Administrator Strategic Communications, the Chief of the Safety and Mission Assurance Office, the Director of Strategic Investments, PA&E, the Director of Mission Support and Communications Office, the Chief Engineer, and the Special Assistant to Deputy Administrator.

I have determined that free attendance of these senior institutional and project leaders at the post-launch reception is in the interests of the agency because it will further agency programs and operations. The attendance of these senior NASA employees at the event will help to raise NASA's profile with national and local business and governmental leaders, will contribute to community relations, and will support NASA's statutory mandate to disseminate information about its programs.

Given the purpose of the event, NASA's interest in it, the broad attendance anticipated, and the modest market value of the event, I have determined that the value to the agency in having these senior institutional and project leaders attend this event outweighs any concern that free attendance may or may appear to improperly influence them in the performance of their duties.

Accordingly, NASA employees in the positions identified above may accept free attendance at the event. They may also accept invitations for accompanying spouses or guests. Free attendance by employees whose duties do not affect the sponsor is addressed in a separate determination.

Questions about this determination may be addressed to James Reistrup at 202-358-2027.

R. Andrew Falcon