

National Aeronautics and Space Administration
Headquarters
Washington, DC 20546-0001



April 1, 2008

Reply to Attn of: General Law Practice Group

TO: Distribution

FROM: Designated Agency Ethics Official

SUBJECT: Approval for Headquarters Employees with Senior Institutional or Project Responsibilities to Attend a Post-launch Evening Reception Sponsored by the Coalition for Space Exploration (CSE)

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

Certain Headquarters employees have been invited to attend an evening reception and to accept, without charge, refreshments offered by Coalition for Space Exploration (CSE) at a NASA informational event to be held in the Rayburn House Office Building on the evening of April 1, 2008, from 5:30-7:30 p.m. All Members of Congress and interested staff will be invited, and 150 to 175 people are expected to attend some or all of the event. CSE is not inviting any Executive Branch personnel, but since NASA personnel will be attending the evening reception to hear the addresses of the NASA officials and other speakers, CSE sought this determination of a "widely attended gathering" (WAG). The event will begin with a presentation on STS-122, including discussion by the crew of STS-122, followed by a reception. The presentation will highlight the benefits NASA brings to our nation.

CSE is an established group of around 35 companies and other entities with interests in NASA's program. It is, as stated on its web site (www.spacecoalition.com), "*a collaborative effort whose mission is to ensure the United States will remain a leader in space, science and technology – key factors that will benefit the nation's economy, gratify our need to explore and maintain our national security.*" Membership is open to all NASA contractors and affiliated organizations. NASA recognizes CSE and has provided it informational briefings. With respect to the April 1 event, the intent is that the refreshments will be cost-shared for by those member organizations which wish to participate. This list includes approximately seven (7) companies to date, but others may be added as the event nears. Currently, the sponsors include United Space Alliance, Boeing, Aerojet, Honeywell, ATK Launch Systems, United Technologies, and Lockheed Martin. The per capita cost of CSE provided support, including the evening reception is expected to be under \$35, so if each company's contribution is considered, CSE estimates that it will be, at most, \$3 or \$4 per capita, well within the *de minimus* gift exception. However, since the aggregate per capita cost is above \$20, this WAG designation is being sought by CSE.

I have determined that free attendance of these NASA employees is in the interests of the Agency because it will further Agency programs and operations. The attendance of these NASA employees at the event will help to raise NASA's profile with national and local business and governmental leaders, will contribute to congressional relations, and will support NASA's statutory mandate to disseminate information about its activities and accomplishments.

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 A. Reistrup of my staff, at 202-358-2027.


Michael C. Wholley