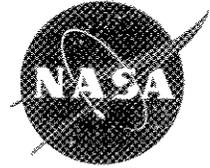


National Aeronautics and Space Administration
Headquarters
Washington, DC 20546-0001



February 9, 2011

Reply to Attn of: General Law Practice Group

TO: Distribution

FROM: Alternate Designated Agency Ethics Official

SUBJECT: Determination Regarding Attendance by NASA employees at the SpaceX and Tesla Motors Exhibition and Reception on February 10, 2011

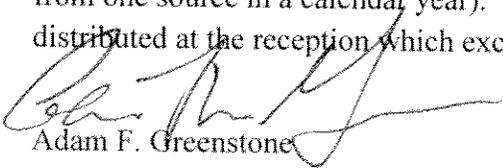
On February 10, 2011, Space Exploration Technologies Corp. (SpaceX) and Tesla Motors will host an exhibition and reception at the Tesla Gallery in Washington, D.C. from 6:00 PM – 8:00 PM. The exhibition is of the COTS 1 Dragon that orbited Earth and returned safely to Earth.

Approximately 500 people were invited to attend the exhibition and reception, including representatives of NASA, the aerospace industry, Congress and their staffers, state and local officials, FAA, and media. The estimated cost of the reception, including all food and beverages, is \$20.00 per person. I find that the event meets the requirements of a “widely-attended gathering” as defined in 5 C.F.R. § 2635.204(g)(2).

I further determine that there is an Agency interest in having NASA personnel attend the event because it will further Agency programs or operations. Attendance at the event will allow NASA attendees to exchange information regarding various NASA programs.

Accordingly, NASA employees who have been invited to attend may accept free attendance at the event. However, NASA employees whose duties substantially affect the sponsors, such as by way of procurement duties, should seek an individual determination pursuant to 5 C.F.R. § 2635.204(g)(3)(i) regarding participation in this event from their local ethics counselor. Moreover, NASA employees who are in non-career positions who are required to sign the ethics pledge under Executive Order 13490 may only attend if they reimburse the sponsors the cost of the event.

Attendees are reminded of the \$20 gift exception at 5 C.F.R. § 2635.204(a) which provides that employees may accept gifts valued at no more than \$20 per occasion (and no more than \$50 from one source in a calendar year). NASA invitees should not accept any gift items distributed at the reception which exceed the \$20 cap.


Adam F. Greenstone