

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



April 18, 2014

General Law Practice Group

Reply to Attn of:

TO: Distribution

FROM: Alternate Designated Agency Ethics Official

SUBJECT: Determination Regarding Attendance by NASA Employees at a Conference and Reception hosted by Explore Mars, Inc., and the Space Policy Institute of George Washington University (GWU) on April 22-24, 2014

On April 22-24, 2014, Explore Mars, Inc., and the Space Policy Institute of George Washington University's (GWU), both not-for-profit organizations under Section 501(c)(3) of the Internal Revenue Code, will host the Humans to Mars Summit 2014 conference. Sponsors that support the event, which is administered and controlled by the hosts, include Boeing, Lockheed Martin, Aerojet, Honeywell, Google, Aurora, Busek, Phillips & Company, and National Institute of Aerospace. This event will take place at George Washington University in the Lisner Auditorium and Betts Auditorium. The conference is from 9:00 a.m. – 5:30 p.m., followed by evening receptions for conference attendees at 6:30 p.m. on April 22<sup>nd</sup> and 5:30 p.m. on April 23<sup>rd</sup>. The receptions are however, hosted by corporate entities; on April 22<sup>nd</sup> by Google and on April 23<sup>rd</sup> by Phillips & Company of Austin, Texas.

The purpose of this event is to bring experts together from around the world to facilitate discussions about the technical, scientific, and policy challenges of sending humans to Mars in the upcoming decades. Approximately, 500 people were invited to the event. Attendees will include representatives from academia; organizations focused on science, technology, engineering, and math (STEM) education; industry, the media; the entertainment community; congressional offices; and interested members of the general public. The estimated cost of the conference is \$165. The food and beverages at the conference are estimated to be \$50 per person. The separate ticketed value of the Google/April 22<sup>nd</sup> reception is \$25 and for the Phillips & Company/April 23<sup>rd</sup> reception is \$15.

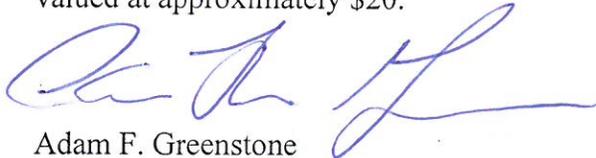
I find that the Humans to Mars Conference 2014 meets the requirements of a "widely attended gathering" as defined in 5 C.F.R. § 2635.204(g)(2). I further determine that there is an Agency interest in having NASA personnel attend the event because it will further Agency programs or operations. Attendance at the event will allow NASA attendees to exchange information on NASA's aerospace and exploration programs with interested representatives of significant communities. Accordingly, NASA employees whose duties do not substantially affect the sponsor, including NASA employees in non-career positions who are required to sign the ethics pledge under Executive Order 13490, may accept an invitation for themselves and an invited guest for free attendance to the Humans to Mars 2014 conference. However, NASA employees whose duties may substantially affect the event host, 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.

For the same reasons, I determine that the respective receptions for attendees sponsored by Google (April 22<sup>nd</sup>) and Phillips & Company (April 23<sup>rd</sup>) meet the requirements of a “widely attended gathering” as defined in 5 C.F.R. § 2635.204(g)(2), so that NASA employees whose duties do not substantially affect the respective hosts may accept an invitation for themselves and an invited guest with the following qualifications:

- NASA employees in non-career positions who are required to sign the ethics pledge under Executive Order 13490 may only attend the Google reception on April 22<sup>nd</sup> if they reimburse Google \$25 each for themselves and any accompanying guest, in addition to the value of any gifts items accepted. However, if the individual has provided information on behalf of NASA as a scheduled speaker or panel member at the conference, reimbursement is not required to attend the evening reception on the day of their presentation.
- NASA employees in non-career positions who are required to sign the ethics pledge under Executive Order 13490 and their invited guests may attend the Phillips & Company reception on April 23<sup>rd</sup> without reimbursing the host the ticketed value unless they have duties substantially affecting Phillips & Company.
- NASA employees whose duties may substantially affect an evening host, 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 that hosts reception from their local ethics counselor, or reimburse the host.

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). We understand that gifts will be distributed to the attendees valued at approximately \$20.



Adam F. Greenstone