

National Aeronautics and Space Administration

Headquarters
Washington, DC 20546-0001



March 2, 2007

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 National Air and Space Museum Trophy Dinner on March 7, 2007

On March 7, 2007, the National Air and Space Museum and Lockheed Martin Corp. will be co-sponsoring the National Air and Space Museum Trophy Dinner at the Smithsonian's National Air and Space Museum in Washington, DC from 6:30 to 10 p.m.

The awards this year will be presented to N. Wayne Hale, Jr. and the STS-121 Shuttle Mission Team for Current Achievement and Robert A. "Bob" Hoover for Lifetime Achievement. The dinner will be widely attended by representatives from other Federal agencies, members of Congress and their staffers, aerospace industry and associations, Lockheed Martin, NASM board members, and Smithsonian senior staff. Approximately 485 individuals have been invited to the dinner. The estimated cost of the dinner, which includes all food and beverages, is \$150 per person. I find that this event meets the requirements of a "widely attended gathering" as defined in 5 CFR § 2635.204(g).

I further determine that there is an Agency interest in having NASA personnel attend the event because it will further Agency programs or operations. The dinner will allow NASA employees the opportunity to discuss space-related issues and NASA programs with other attendees. Accordingly, NASA employees whose duties do not substantially affect Lockheed Martin Corp. may accept an invitation for free attendance to the dinner for themselves and their spouses or guests.

However, NASA employees whose duties may substantially affect Lockheed Martin Corp., such as by way of procurement duties, should seek an individual determination pursuant to 5 CFR § 2635.204(g)(3)(i) regarding participation in this event from their local ethics counselor.

In addition, Lockheed Martin Corp. may give each attendee a Flyer Candy bar valued at approximately \$3 each. Attendees are reminded of the \$20 gift exception at 5 CFR §2635.204(a) which provides that employees may accept gifts valued at no more than \$20 per occasion. Accordingly, in addition to accepting free attendance at the event, NASA employees may accept this candy bar. NASA invitees are reminded not to exceed the \$50 cap on gifts from one source in a calendar year.



R. Andrew Falcon