National Aeronautics and Space Administration

Headquarters
Washington, DC 20546-0001

June 5, 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 an STS-117 Pre-Launch Reception and Launch Viewing

On June 8, 2007, NASA, the United Space Alliance, Lockheed Martin, Honeywell, Jacobs Engineering, The Boeing Company, SAIC, ATK Thiokol, Pratt & Whitney Rocketdyne, and Ball Aerospace will co-host a pre-launch reception and viewing of the STS-117 launch. The event will start at 6:15 p.m. and will be held on the Kennedy Space Center grounds in building OSB II. Approximately 350 people are expected to attend, including representatives from industry, the Executive and Legislative Branches of the U.S. Government, state officials, and NASA and other Federal employees. In addition to the event location, NASA will be providing all of the audio-visual equipment to watch the Shuttle preparation and launch. The industry co-sponsors will be providing food and beverages at a cost of approximately $37 per person.

I find this event meets the requirements of a "widely attended gathering" as defined in 5 C.F.R. §2635.204(g). I further determine that there is an Agency interest in having NASA personnel attend the event. The event will allow NASA employees to discuss the NASA Vision for Space Exploration, the Space Shuttle program, and the STS-117 mission with the other attendees. Accordingly, NASA employees whose duties do not substantially affect the industry co-sponsors may accept an invitation for free attendance at the reception.

NASA employees whose duties may substantially affect these co-sponsors, 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, the industry co-sponsors may give each attendee an assortment of mementos, such as pens, CDs, stickers, and posters. Each company's mementos will be valued at less than approximately $10 each. 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. Accordingly, in addition to accepting free attendance at the event, NASA employees may accept these mementos. NASA invitees are reminded not to exceed the $50 cap on gifts from one source in a calendar year.

R. Andrew Falcon