

National Aeronautics and Space Administration
George C. Marshall Space Flight Center
Marshall Space Flight Center, AL 35812



June 7, 2007

Reply to Attn of:

LS01 (DMW)

MEMORANDUM FOR RECORD

TO: Distribution

FROM: LS01/William J. Bierbower

SUBJECT: Approval for MSFC Employees with Senior Institutional or Project Responsibilities to Attend a Pre-launch Reception Sponsored by ATK

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

Certain MSFC employees with senior institutional or project responsibilities with regard to the Space Shuttle Program, External Tank Project, and Constellation Program have been invited to attend a pre-launch reception sponsored by ATK at the Doubletree Hotel, Cocoa Beach, Florida, on or about Thursday, June 7, 2007, from 7 p.m. to 9 p.m. This event is to be held in conjunction with the launch of STS-117, at the Kennedy Space Center.

This event will be a widely-attended gathering of aerospace industry representatives, members of Congress, NASA employees, and members of the public. The reception is valued at \$20 per person and approximately 200 individuals have been invited to attend. I find that the reception meets the requirements of a "widely attended gathering" as defined in 5 C.F.R. § 2635.204(g)(2).

ATK is a contractor company that is currently involved in the Space Shuttle program, the Constellation program, and other significant contractual matters relating to NASA. Some MSFC personnel invited to attend this event presently, or may in the near future, have extensive involvement in matters relating to ATK's business interests.¹ These personnel are similarly situated in that they each have senior institutional or project responsibilities that could significantly influence current or future ATK contracts.

¹ These personnel include MSFC Center Director; MSFC Deputy Center Director; Deputy Manager, Shuttle Propulsion Office; Manager, Reusable Solid Rocket Booster Project; Manager, External Tank Project; Manager, Exploration Launch Office; and Manager, Test Lab.

I have determined that free attendance of these senior institutional and project leaders at the pre-launch reception is in the interests of the agency because it will further agency programs and operations. The attendance of these senior NASA employees at the event will help to raise NASA's profile with national and local business and governmental leaders, will contribute to community relations, and will support NASA's statutory mandate to disseminate information about its programs.

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, MSFC 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 Devinti M. Williams at 256-544-0012.


William J. Bierbower
Chief Counsel