National Aeronautics and Space Administration

Headquarters
Washington, DC 20546-0001

December 3, 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-122 Pre-Launch Reception hosted by ATK

NASA invitees, accompanied by their spouse or a guest, may attend a pre-launch reception sponsored by ATK at the Doubletree Hotel, Cocoa Beach, Florida, on or about Wednesday, December 5, 2007, from 7:00 p.m. – 9:00 p.m. This event is to be held in conjunction with the launch of STS-122, at the Kennedy Space Center.

This event will be a widely-attended gathering of approximately 200 representatives of NASA, the aerospace industry, Congress and their staffers, and the community. The cost of the event will be approximately $20 per person. I find that the reception 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. The event will allow NASA employees to discuss the NASA Vision for Space Exploration, the Space Shuttle program, and the STS-122 mission with the other attendees. Accordingly, NASA employees whose duties do not substantially affect the sponsor may accept an invitation for free attendance at the reception. They may also accept invitations for accompanying spouses or guests.

NASA employees whose duties may substantially affect ATK, 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.

In addition, ATK may give each attendee a tee shirt valued at $11 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 this memento. NASA invitees are reminded not to exceed the $50 cap on gifts from one source in a calendar year.

R. Andrew Falcon