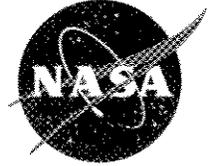


National Aeronautics and Space Administration  
Headquarters  
Washington, DC 20546-0001



May 12, 2008

Reply to Attn of: General Law Practice Group

TO: Distribution

FROM: Alternate Designated Agency Ethics Official

SUBJECT: Determination Regarding Attendance by NASA Employees at Discovery Channel Screening of "When We Left Earth: The NASA Missions"

During 2008, Discovery Channel will introduce a documentary entitled, "When We Left Earth: The NASA Missions" at various times and locations. Specific sites include: Washington, DC; Pasadena, California; New York, New York; Los Angeles, California; and Houston, Texas. These screenings feature NASA Archive material that has been restored and converted into high definition (HD) format by the Discovery Channel. These presentations will feature a review of NASA's historic missions and will provide a forum to discuss the future of space exploration.

On May 13, 2008, Discovery Channel Communications will host a screening and reception at the Paley Center in Los Angeles, California. Attendees include media; educational partners, Discovery executives and clients, members of the LA film and television communities, NASA employees and prominent guests from the scientific community. Approximately 500 people will attend this event. The cost of the reception is approximately \$34.00 per person.

I find that 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 because they will have the opportunity to share views on the history of NASA missions and the future direction of NASA's programs. Accordingly, NASA employees and their invited guests whose duties do not substantially affect the sponsors may accept an invitation for free attendance to this event.

Discovery has also indicated that they will be giving attendees the book, "America in Space: NASA's First Fifty Years." This book has a fair market value of approximately \$50, which is greater than the value of gifts permitted to be accepted under the \$20 exception to the prohibition on acceptance of gifts from outside sources. Accordingly, employees and their immediate family members may not accept the book for themselves unless they pay Discovery the fair market value of the item(s). However, NASA employees may accept these item(s) on behalf of the Agency. In such case, the books will be NASA property and must continue to be maintained on NASA premises. NASA employees who wish to accept these items for themselves (by paying Discovery market value) or for NASA under either of the options above should contact a NASA ethics official at their local Center Chief Counsel's office for advice.

NASA employees whose duties may substantially affect the sponsors, 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 a NASA ethics counselor at their Center Chief Counsel's Office. NASA Headquarters employees whose duties may similarly affect the sponsors should seek a determination from the Office of the General Counsel.



Adam F. Greenstone