

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



May 27, 2008

Reply to Attn of: General Law Practice Group

TO: Distribution

FROM: Alternate Designated Agency Ethics Official

SUBJECT: Approval for Headquarters Employees with Senior Institutional or Project Responsibilities to Attend a STS-124 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 Headquarters 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 May 30, 2008, from 7 p.m. to 9 p.m. This event is to be held in conjunction with the launch of STS-124, at the Kennedy Space Center.

This event will be a widely-attended gathering of aerospace industry representatives, members of Congress, members of academia, NASA and other federal 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 company that is currently involved in the Space Shuttle program, the Constellation program, and other significant contractual matters relating to NASA. Some Headquarters personnel invited to attend this event currently, or may in the near future, have extensive involvement in matters relating to ATK's business interests.<sup>1</sup> These personnel are similarly situated in that they each have senior institutional or project responsibilities that could significantly influence current or future ATK contracts.

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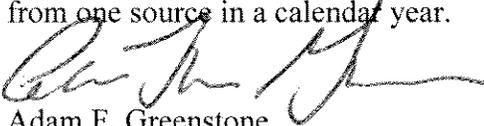
<sup>1</sup> These personnel include the NASA Administrator, the Deputy Administrator, the Associate Administrator for SOMD, the Deputy Associate Administrator of SOMD, the Associate Administrator for ESMD, the Deputy Associate Administrator for ESMD, the Chief of the Safety and Mission Assurance Office, the Director of Strategic Investments, PA&E, the Director of Mission Support and Communications Office, and the Lead Test & Verification Manager.

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, NASA 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.

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

  
Adam F. Greenstone