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

July 23, 2009

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 Lockheed Martin Reception on August 17, 2009

On August 17, 2009, Lockheed Martin, will host a reception at the Davidson Event Center, in Huntsville, AL, from 7:00p.m.-9:00p.m. This event is in conjunction with the 12th Annual Space and Missile Defense Conference and Exhibition held the week of August 17, 2009.

This event will be a widely-attended gathering of approximately 700 representatives of NASA, the aerospace industry, Congress and their staffers, trade associations, academia, and media. The cost of the reception will be approximately $30.00 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 have determined that free attendance at the above mentioned reception is in the interest of the agency because it will further agency programs and operations. The event will provide NASA employees with the opportunity to discuss the space and missile defense systems in recent NASA programs with other attendees, and to hear their views and ideas concerning NASA.

Accordingly, NASA employees that have been invited to attend may accept free attendance at the event. They may also accept invitations for accompanying spouses or guests. However, NASA employees whose duties may substantially affect the event 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 their local ethics counselor.

Moreover, NASA employees who are in non-career positions in which the President's Executive Order of January 21, 2009, requires signing an ethics pledge may only attend if they reimburse the sponsors the cost of the reception for themselves and any accompanying guest.

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 and no more than $50 from one source in a calendar year. NASA invitees should not accept any gift items distributed at the reception which exceed these caps.

Adam F. Greenstone