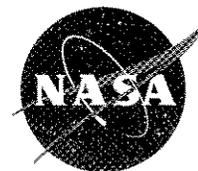


National Aeronautics and Space Administration
Kennedy Space Center
Kennedy Space Center, FL 32899



August 10, 2009

Reply to Attn of:

CC-A

TO: Distribution

FROM: CC/Chief Counsel

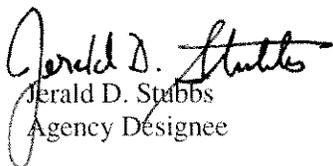
SUBJECT: Attendance at the STS-128 Pre-Launch Cocktail Reception Sponsored by Raytheon

On August 23, 2009, Raytheon will host a pre-launch reception in anticipation of the STS-128 launch. The event will be held at the Hilton Hotel in Cocoa Beach, from 5:00 pm to 7:00 pm. More than 200 guests have been invited to attend. These guests include corporate and industry executives and workers, members of academia, military leaders, aerospace contractors, area tourism and community leaders, space enthusiasts, and representatives of Federal, state, and local government, and NASA employees. The approximate value of the reception is \$50 per person for the food and beverages will be charged on a per drink basis (with a basket for donations).

I find 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. This event will allow NASA employees to discuss the NASA Vision for Space Exploration, the Space Shuttle program, the International Space Station, and the STS-128 mission with the other attendees. In addition, this event is a forum for the attendees to disseminate information on NASA's ongoing activities and to discuss matters of interest to NASA with a diverse group.

Accordingly, NASA employees whose duties do not substantially affect any of the sponsors may accept an invitation for complimentary attendance at the event. NASA employees whose duties may substantially affect any of 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 the Chief Counsel's Office. NASA employees who are in non-career positions for which Executive Order 13490 requires the signing of an ethics pledge may attend only if they make arrangements with the sponsor to reimburse the cost of their attendance.

In addition, Raytheon will provide a golf umbrella valued at \$16.30 to each of the attendees. 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 the golf umbrella. NASA invitees are reminded not to exceed the \$50 cap on gifts from one source in a calendar year.


Jerald D. Stubbs
Agency Designee

Distribution:
STD-L-A