

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



August 20, 2009

Reply to Attn of: General Law Practice Group

TO: Distribution

FROM: Alternate Designated Agency Ethics Official

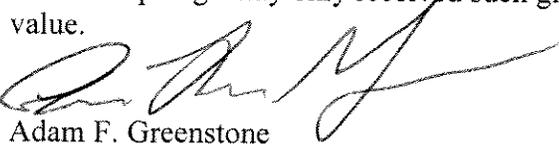
SUBJECT: Determination Regarding Attendance by NASA Employees at an STS-128
Pre-Launch Reception hosted by ATK on August 23, 2009

NASA invitees, and their spouses or guests, may attend a pre-launch reception sponsored by ATK at the Doubletree Hotel, in Cocoa Beach, Florida, on launch minus 2 (1-2) days from 7:00 p.m.-9:00 p.m. The reception is to celebrate the Space Shuttle Discovery STS-128 Flight.

This event will be a widely-attended gathering, of approximately 200 representatives of government, the aerospace industry, and the community. Food and refreshments will be served at a cost of approximately \$20.00 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). This event will allow NASA employees to discuss and exchange views with others and celebrate the Space Shuttle mission. 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.

Accordingly, NASA employees that have been invited to attend may accept free attendance at the event. However, 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. 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 refreshments they consume at the reception.

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 the \$20 cap. NASA invitees who are required to sign the ethics pledge may only receive such gifts if they reimburse the sponsor the fair market value.


Adam F. Greenstone