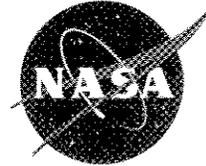


National Aeronautics and Space Administration

Headquarters

Washington, DC 20546-0001



November 10, 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-129 Administrator's Briefing and Reception on November 16, 2009

NASA invitees, and their spouses or guests, may attend a pre-launch reception sponsored by ATK, United Space Alliance, Boeing Company, Lockheed Martin, Ball Aerospace, Pratt & Whitney Rocketdyne, SAIC, Honeywell, Inc., Jacobs Engineering, Barrios Technology, Wyle Laboratories, Inc., Astrotech Space Operations, Harris Corporation, Teledyne Brown Engineering, Inc., and Sierra Lobo, Inc., at the Kennedy Space Center, Operations Support Building, Conference Room #5109, in Orlando, Florida at 11:00 p. m. The reception is to support the STS-129 Administrator's Briefing and Reception for Distinguished Guests of the NASA Administrator.

This event will be a widely-attended gathering of approximately 390 representatives of government, the aerospace industry and the community. Food and refreshments will be served at a cost of approximately \$25.00 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. This event will allow NASA employees to discuss NASA's mission and space programs with interested community and aerospace industry representatives.

Accordingly, NASA employees who have been invited to attend may accept free attendance at the event. 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 Executive Order 13490 requires signing an ethics pledge may only attend if they reimburse the sponsors the cost of the reception for themselves and their invited guests.

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. NASA invitees should not accept any gift items distributed at the reception which exceed the \$20 cap.

for Rebecca Salubir
Adam F. Greenstone