National Aeronautics and Space Administration

Headquarters
Washington, DC 20546-0001

March 29, 2010

General Law Practice Group

Reply to Attn of:

TO: Distribution

FROM: Alternate Designated Agency Ethics Official

SUBJECT: Determination Regarding Attendance by NASA Employees at an STS-131 Pre-Launch Reception hosted by ATK on April 3, 2010

NASA invitees, and their spouses or guests, may attend a pre-launch reception hosted by ATK at the Doubletree Hotel, in Cocoa Beach, Florida, on launch minus 2 (L-2) days from 7:00 p.m.-9:00 p.m. The reception is to celebrate the Space Shuttle Discovery STS-131 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). 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 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 Executive Order 13490 requires signing an ethics pledge may only attend if they reimburse the sponsors the cost of 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 form one source in a calendar year). NASA invitees should not accept any gift items distributed at the reception which exceed the $20 cap.

for Adam F. Greenstone