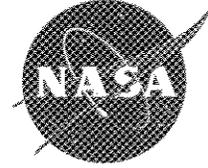


National Aeronautics and Space Administration
Headquarters
Washington, DC 20546-0001



May 26, 2010

Reply to Attn of: General Law Practice Group

TO: Distribution

FROM: Alternate Designated Agency Ethics Official

SUBJECT: Determination Regarding Attendance by NASA Employees at a First Falcon 9 Launch Breakfast hosted by SpaceX on or about June 2-3, 2010

On or about June 2-3, 2010, SpaceX, will host a breakfast at the Kennedy Space Center, OSB Facility II at the Hilton Cocoa Beach, in Florida, at 10:00 a. m. This event is to view the First Falcon 9 Launch.

This event will be a widely-attended gathering of approximately 350 representatives of NASA, the aerospace industry, Congress and their staffers, SpaceX customers, trade associations, academia, and media. The cost of the breakfast will be approximately \$30.00 per person. I find that the event 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 event 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 view the launch and discuss the mission and other NASA programs with representatives of the communities participating in the event.

Accordingly, NASA employees who 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 Executive Order 13490 requires signing an ethics pledge, may only attend if they reimburse the sponsors the cost of event 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.

A handwritten signature in black ink, appearing to read "Adam F. Greenstone".

Adam F. Greenstone