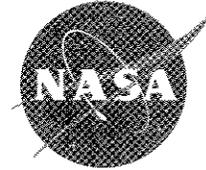


National Aeronautics and Space Administration

George C. Marshall Space Flight Center

Marshall Space Flight Center, AL 35812

October 26, 2010



LS01 (AMM)

Reply to Attn of:

MEMORANDUM FOR RECORD

FROM: LS01/William J. Bierbower

SUBJECT: Approval for NASA Employees with Senior Institutional or Project Responsibilities to Attend a Pre-launch Reception Sponsored by Jacobs Technology, Inc.

In accordance with 5 CFR § 2635.204(g)(2) and (3), I make the following determination:

Certain NASA employees who have senior institutional and project responsibilities, have been invited to attend a pre-launch reception sponsored by Jacobs Technology, Inc. (Jacobs) at the Atlantic Grill Restaurant at the Hilton Oceanfront Hotel-Cocoa Beach, Florida, on or about October 31, 2010, from 8:00 p.m. – 11:00 p.m. This event is to be held in conjunction with the launch of STS-133 at the Kennedy Space Center.

This event will be a widely-attended gathering of aerospace industry representatives, academia, elected officials, NASA employees, supplier network contractors, media, and members of the public. The reception is valued at \$15 per person and approximately 300 individuals have been invited to attend. I find that the reception meets the requirements of a “widely attended gathering” as defined in 5 CFR § 2635.204(g)(2).

Jacobs is a contractor that is currently providing engineering support services to Marshall Space Flight Center and is involved in the Space Shuttle Program. Certain MSFC employees invited to attend this event presently, or may in the near future, have extensive involvement in matters relating to Jacobs’ business interests.<sup>1</sup> These personnel are similarly situated in that they each have senior institutional or project responsibilities that could significantly influence current or Jacobs’ contracts.

I have determined that free attendance of these senior institutional leaders at the pre-launch reception is in the interests of the agency because it will further agency programs and operations. The attendance of these senior NASA employees at the event will help to raise NASA’s profile with national, state, and local business and governmental leaders, will contribute to community relations, and will support NASA’s statutory mandate to disseminate information about its programs.

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<sup>1</sup> These personnel include Center Director, Deputy Director, and Space Shuttle Program Manager.

Given the purpose of the event, NASA's interest in it, the broad attendance anticipated, and the modest market value of the event, I have determined that the value to the agency in having these senior institutional leaders attend this event outweighs any concern that free attendance may or may appear to improperly influence them in the performance of their duties.

Accordingly, NASA employees in the positions identified within the footnote may accept free attendance at the event. They may also accept an invitation for their accompanying spouses or guests. Free attendance by employees whose duties do not affect the industry sponsors are addressed in a separate determination.

Jacobs Engineering, Inc. is a lobbying organization, and as such 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 the refreshments they consume at the reception.

Questions about this determination may be addressed to Annette Metcalf Coffel at 256-544-0025.

A handwritten signature in black ink, appearing to read "William J. Bierbower". The signature is fluid and cursive, with a long horizontal stroke at the end.

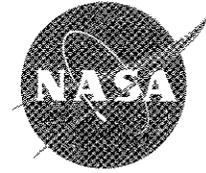
William J. Bierbower  
Chief Counsel

National Aeronautics and Space Administration

George C. Marshall Space Flight Center

Marshall Space Flight Center, AL 35812

October 26, 2010



LS01 (AMM)

Reply to Attn of:

MEMORANDUM FOR RECORD

FROM: LS01/ William J. Bierbower

SUBJECT: Blanket Approval for NASA Employees to Attend a Pre-launch Reception Sponsored By Jacobs Technology, Inc.

In accordance with 5 CFR § 2635.204(g)(2) and (3), I make the following determination:

NASA invitees, accompanied by their spouse or a guest, may attend a pre-launch reception Sponsored by Jacobs Technology, Inc. at the Atlantic Grill Restaurant at the Hilton Oceanfront Hotel-Cocoa Beach, Florida, on or about October 31, 2010, from 8:00 p.m. – 11:00 p.m. This event is to be held in conjunction with the launch of STS-133 at the Kennedy Space Center.

This event will be a widely-attended gathering of aerospace industry representatives, academia, members of Congress, NASA employees, supplier network contractors, media, and members of the public. The reception is valued at \$15 per person and approximately 300 individuals have been invited to attend. I find that the reception meets the requirements of a “widely attended gathering” as defined in 5 CFR § 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. The attendance of NASA employees at the event will help to raise NASA’s profile with state and local business and governmental leaders, will contribute to community relations, and will support NASA’s statutory mandate to disseminate information about its activities. Given the purpose of the event, the broad attendance anticipated, and the modest market value of this social event, I have determined that the value to the agency in having employees attend this event outweighs any concern that free attendance may or may appear to improperly influence them in the performance of their duties.

Accordingly, NASA employees that have been invited to attend may accept free attendance at the event. They may also accept invitations for accompanying spouses or guests. NASA employees who feel that their duties may in some way substantially affect Jacobs Technology, Inc. are not covered in this determination and should contact Annette Metcalf Coffel, at (256) 544-0025, to seek a determination pursuant to 5 CFR § 2635.204(g)(3)(i), regarding their participation in this event.

Jacobs Engineering, Inc. is a lobbying organization, and as such 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 the refreshments they consume at the reception.

A handwritten signature in black ink, appearing to read "William J. Bierbower". The signature is fluid and cursive, with the first name "William" and last name "Bierbower" clearly distinguishable.

William J. Bierbower  
Chief Counsel