National Aeronautics and Space Administration

Headquarters
Washington, DC 20546-0001

November 3, 2011

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 Reception sponsored by the Boeing Company on November 16, 2011 following the Congressional Gold Medal ceremony

NASA invitees, accompanied by their spouse or a guest, may attend a reception sponsored by the Boeing Company in the Caucus room of the Cannon House Office Building in Washington, D.C. on November 16, 2011, from 12:30 p.m. – 2:30 p.m. This event will follow the ceremony in the U.S. Capitol Rotunda where the Honorable John Glenn, Neil Armstrong, Michael Collins, and Buzz Aldrin will receive the Congressional Gold Medal Award. The reception will provide invited NASA employees with an opportunity to discuss NASA's activities and programs with other individuals in attendance.

Approximately 600 people will be invited to this reception and about 500 are expected to attend. Expected attendees include Members of Congress and congressional staff, as well as representatives from academia, the museum community, major non-profit research organizations, the aerospace industry, trade associations, and other Federal agencies. The reception will include refreshments valued at approximately $50 per person. In accordance with 5 C.F.R. § 2635.204(g), and 14 C.F.R. § 1207.103, I find that the event meets the definition of a "widely attended gathering." I further find that there is an agency interest in having NASA employees attend the event, as they will have the opportunity to further agency programs and operations by providing information about current NASA programs and exchanging views with other attendees. Accordingly, NASA employees – other than non-career employees who are required to sign the ethics pledge under Executive Order 13490 – who have been invited to attend may accept free attendance at the event. They may also accept an invitation for their accompanying spouse or guest.

However, NASA employees whose duties may substantially affect the Boeing Company, 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 for which they are required to sign an ethics pledge under Executive Order 13490, and their accompanying spouses or guests,

may only attend the reception if they reimburse the sponsors the cost of the refreshments consumed by themselves and an accompanying spouse or guest.

Adam F. Greenstone