

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



February 17, 2012

Reply to Attn of: General Law Practice Group

TO: Distribution

FROM: Alternate Designated Agency Ethics Official

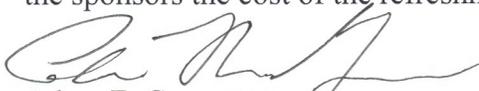
SUBJECT: Determination Regarding Attendance by NASA Attendees at a Luncheon hosted by Lockheed Martin on February 21, 2012

On February 21, 2012, Lockheed Martin will host a luncheon, with the support of Boeing Company, SAIC, IBM, Hewlett-Packard, Boeing, and the American Institute of Aeronautics and Astronautics (AIAA), and National Institute of Aerospace (NIA), both of which are non-profit organizations under section 501(c)(3) of the Internal Revenue Code, at the Ohio State University, Performance Hall, Columbus, Ohio from 8:00 AM – 9:00 AM (morning coffee) and Noon – 1:30 PM (luncheon).

The event will be a tribute to celebrate the 50th Anniversary of Senator Glenn's historic orbiting of the Earth, and will feature as keynote speaker Captain Mark Kelly, commander of Space Shuttle Endeavor's final mission. Approximately 300 people are expected to attend. The estimated cost of the event including all food and beverages is \$24.09 per person. The luncheon will be attended by representatives of the aerospace industry, professional society members, academia, representatives of other non-profit organizations, public officials, and other Federal agencies. I find that this event meets the requirements of a "widely attended gathering" as defined in 5 C.F.R. § 2635.204(g).

I further determine that there is an Agency interest in having NASA personnel attend the event because it will further Agency programs or operations. Accordingly, NASA employees whose duties do not substantially affect the event sponsors may accept an invitation for free attendance to the event. The non-career employees will need to reimburse the cost of what they consume.

However, NASA employees whose duties may substantially affect the sponsors such as by way of procurement duties, should seek an individual determination pursuant to 5 C.F.R. § 2635.205(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, may only attend the reception if they reimburse the sponsors the cost of the refreshments consumed.


Adam F. Greenstone