

National Aeronautics and Space Administration

Headquarters

Washington, DC 20546-0001



April 25, 2012

General Law Practice Group

Reply to Attn of:

TO: Distribution

FROM: Alternate Designated Agency Ethics Official

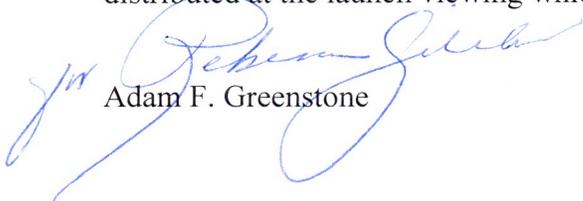
SUBJECT: Determination Regarding Attendance by NASA employees at the Space Exploration Technologies Corporation (SpaceX) Launch Viewing on April 30, 2012

On April 30, 2012, Space Exploration Technologies Corporation (SpaceX) will host a launch viewing at Kennedy Space Center, OSB II from 9 a.m. – 2 p.m. Approximately 670 people were invited to attend the viewing, including representatives of NASA and other Federal agencies, the aerospace industry, Congress and their staffers, foreign nationals, Federal agencies, DoD, media, and the general public. The estimated cost of the reception, including all food and beverages, is \$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 further determine that there is an Agency interest in having NASA personnel attend the event because it will further Agency programs or operations. Attendance at the event will allow NASA attendees to exchange information regarding various NASA programs.

Accordingly, NASA employees who have been invited to attend may accept free attendance at the event. However, NASA employees whose duties substantially affect the 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 who are required to sign the ethics pledge under Executive Order 13490 may only attend if they reimburse the sponsors the cost of the event.

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 launch viewing which exceed the \$20 cap.

  
Adam F. Greenstone