

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



August 3, 2012

Reply to Attn of: General Law Practice Group

TO: Distribution

FROM: Alternate Designated Agency Ethics Official

SUBJECT: Determination Regarding Attendance by NASA employees at CalTech's Mars Science Laboratory (MSL) Curiosity Landing Event on August 5, 2012

On August 5, 2012, from 6 – 7:15 pm, the California Institute of Technology, an organization exempt from taxation under Section 501(c)(3) of the Internal Revenue Code, will host a reception and light dinner buffet to celebrate the landing on Mars of the Mars Science Laboratory (MSL) Curiosity. CalTech is the parent organization of the Jet Propulsion Laboratory, which is also tax-exempt under Section 501(c)(3). The event will be held at the CalTech President's residence.

Approximately 220 people were invited to attend, including members of the United States Congress, representatives of various Federal agencies, media, academia, state and local officials, and industrial partners. The estimated cost of the reception and light dinner buffet including all food and beverages is \$40.00 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).

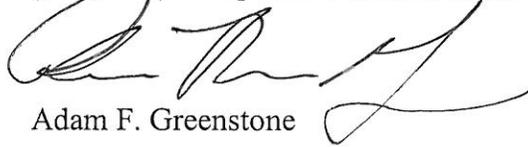
I further determine that there is an Agency interest in having NASA personnel attend the event because it will further Agency programs or operations. Attendance at the event will allow NASA attendees to exchange information regarding various NASA programs with representatives of various sectors and communities.

Accordingly, NASA employees,¹ including NASA employees in non-career positions who are required to sign the ethics pledge under Executive Order 13490, may accept an invitation for themselves and an invited guest for free attendance to the event.

Modest items of food and refreshments, such as soft drinks, coffee, snack rolls, and small dessert items, will be provided by JPL/CalTech at various locations on the JPL complex through the night of Curiosity's landing, which is expected to occur at 10:31 pm local time.

¹ Because of the historic nature of the MSL landing, the Agency's statutory mission to disseminate information about its programs to the widest degree practical (see 51 U.S.C. Section 20112(a)(3)), and the relatively modest value of the refreshments being served, this determination applies to invited NASA employees regardless of specific duties.

Because, considering the light nature of refreshments and their distant proximity from meal time, I find that these offerings constitute "Modest items of food and refreshments . . . offered other than as part of a meal," as contemplated by 5 CFR § 2635.203(b)(1). Accordingly, NASA employees in attendance (including non-career employees as noted above) and their guests may accept them without reimbursing CalTech/JPL.

A handwritten signature in black ink, appearing to read 'Adam F. Greenstone', written in a cursive style. The signature is positioned above the printed name.

Adam F. Greenstone