

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



September 19, 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 United Launch Alliance (ULA) and the National Air Space Museum's (NASM) Reception on September 20, 2012

On September 20, 2012, the United Launch Alliance (ULA), a nonprofit organization under 501(c)(6) of the Internal Revenue code, will host a reception at the National Air and Space Museum, in Washington, D.C., from 7 p.m. to 9 p.m. The cosponsor for this event is the Smithsonian Institution.

The purpose of the reception is to celebrate ten years of Atlas V and Delta IV launch systems. Approximately 200 people have been invited to attend, including personnel from Federal agencies, congressional staff, museum officials and staff, and representatives of the aerospace industry. The estimated cost of the reception, including all food and beverages, is \$110 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.

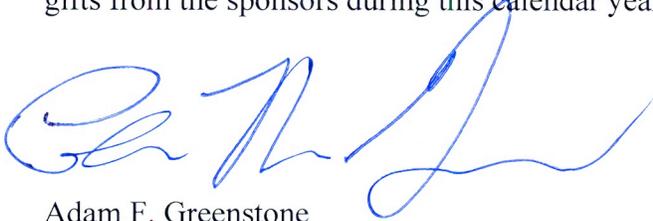
Accordingly, NASA employees who have been invited to attend may accept free attendance at the event. They may also accept invitations for accompanying spouses or guest.

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. § 2635.204(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 may only attend if they reimburse the sponsors the cost of the event for themselves and accompanying guests.

Sometimes sponsors at an event may also provide small gift items. 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. Other than for presentation items with little intrinsic value and no additional function, such as pins or patches with mission emblems, NASA invitees must reimburse the sponsor for full value of any gift items exceeding these caps distributed by the sponsors. Moreover, non-career NASA employees subject to the ethics pledge should reimburse sponsors, which are lobbying organizations for purposes of the ethics pledge, the full value of any such gift items accepted even if these monetary caps are not exceeded.

We understand that the sponsors will be distributing goody bags valued at \$20. Career NASA employees attending may accept the gift so long as they will not have received more than \$50 in gifts from the sponsors during this calendar year.

A handwritten signature in blue ink, appearing to read 'Adam F. Greenstone', is written over the printed name below it.

Adam F. Greenstone