

National Aeronautics and Space Administration

Headquarters

Washington, DC 20546-0001

October 5, 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 October 7, 2012

On October 7, 2012, Space Exploration Technologies Corporation (SpaceX) will host a launch viewing at the Kennedy Space Center, Building OSB II, from 6 PM to 9 PM. Approximately 250 people were invited to attend the viewing, including representatives from the media, various aerospace companies, local government, the U.S. legislative branch, NASA and other Federal agencies, other countries, and the general public. The estimated cost of the reception, including all food and beverages, is \$20.00 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 have determined 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 commercial space efforts and other NASA programs with attendees from various sectors who are invited.

Accordingly, NASA employees who have been invited 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 value of refreshments they consume at 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). We understand that Space-X will be distributing models of the Falcon 9 rocket that may exceed this cap, and if so NASA employees must reimburse Space-X the full value of the model to accept them. NASA employees in non-career positions

should not accept gift items distributed at the launch viewing, whether or not they exceed the \$20 cap, unless they reimburse the value of the item.

A handwritten signature in black ink, appearing to read 'Adam F. Greenstone', written in a cursive style with a long horizontal flourish at the end.

Adam F. Greenstone