

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



February 26, 2013

Reply to Attn of: General Law Practice Group

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 March 1-2, 2013

On March 1-2, 2013, Space Exploration Technologies Corporation (SpaceX), will host a launch viewing at Kennedy Space Center (KSC), OSB II from 8 a.m. to 12 p.m.

Approximately 690 people were invited to attend the event, including representatives from the legislative branch, state and local government, other Federal agencies, academia, industry, and the general public. The estimated cost of the event, including all food and beverages, is \$25.00 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 and the Agency's policies and plans.

Accordingly, NASA employees who have been invited to attend may accept free attendance at the event. However, NASA employees whose duties substantially affect the sponsor, 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 in non-career positions who are required to sign the ethics pledge under Executive Order 13490 may attend only if they reimburse the sponsor the cost of the event for themselves and any accompanying guest.

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 the full value of any gift items exceeding these caps. Moreover, non-career NASA

employees subject to the ethics pledge should reimburse the sponsor, which is a lobbying organization, the full value of any such gift items accepted even if these caps are not exceeded.



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