

National Aeronautics and Space Administration

Headquarters
Washington, DC 20546-0001



September 2, 2016

Reply to Attn of: General Law Practice Group

TO: Distribution

FROM: Agency Counsel for Ethics

SUBJECT: Determination Regarding Attendance by NASA employees at the Lockheed Martin Space System Company Pre-Launch Reception on September 8, 2016

On September 8, 2016, the Lockheed Martin Space System Company will host a pre-launch reception at the OSB II at Kennedy Space Center.

Approximately 400 people have been invited to attend, including Congressional members and staff, state and local officials, industry representatives, academia, employees of other Federal agencies, and members of the public. The estimated cost of the event, including all food and beverages, is \$20 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 whose duties do not substantially affect the Lockheed Martin Space System Company may accept an invitation from Lockheed Martin for free attendance for themselves and a guest to the reception.

However, 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 Lockheed Martin Space System Company the cost of the event. An exception to this exclusion are non-career employees who are scheduled speakers or panel participants. Additionally, NASA employees whose duties may substantially affect Lockheed Martin Space System Company, should seek an individual determination pursuant to 5 C.F.R. § 2635.205(g)(3)(i) regarding participation in this event from their local ethics counselor.

Attendees who are not subject to the ethics pledge under Executive Order 13490 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 the Lockheed Martin Space System Company may be distributing a stickers and pins of nominal value.

A handwritten signature in black ink, appearing to read 'Adam F. Greenstone', written in a cursive style.

Adam F. Greenstone