

National Aeronautics and Space Administration

Headquarters

Washington, DC 20546-0001



January 7, 2016

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 Jason-3 Scientific Satellite Launch Reception to be hosted by SpaceX on or around January 17, 2016

SpaceX Corporation (SpaceX) is scheduled to launch the Jason-3 Scientific Satellite from Vandenberg Air Force Base, California, on or around January 17, 2016, and is sponsoring a post-launch reception at Foley Winery in Lompoc, California, from 12:00 p.m. to 3:00 p.m. following the launch.

Approximately 600 guests have been invited to attend. Invitees include members of Congress, Congressional staff, NASA personnel, state and local government officials, representatives from industry and academia, and personnel from other Federal agencies. The value of the reception, which includes all food and non-alcoholic refreshments, will be approximately \$40.00 per person. I find that this event meets the requirements of a "widely attended gathering" as defined in 5 C.F.R. § 2635.204(g)(2).

I further determine that free attendance at the above mentioned event is in the interest of the agency because it will further agency programs and operations. Attendance will allow NASA invitees to exchange information regarding NASA programs with representatives of various communities and sectors. Accordingly, NASA employees (subject to the exceptions noted below) who have been invited to attend may accept the gift of free attendance for themselves and one guest.

*However, NASA employees whose duties may substantially affect SpaceX, such as by way of contracting duties, should seek an individual determination pursuant to 5 C.F.R. § 2635.204(g)(3)(i) regarding participation in these events from their local ethics counselor to attend under the widely attended gathering exception. Moreover, NASA employees who are in non-career positions in which Executive Order 13490 requires signing an ethics pledge may only attend if they reimburse the sponsor the value of the events and any gift items accepted for themselves and an accompanying guest. An honor basket will be available for reimbursement.*

Attendees, who are not subject to the ethics pledge in 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 SpaceX will be distributing a water bottle (\$5.41), key chain (\$1.30), and a patch (\$1.28) for a total value of \$7.99.

A handwritten signature in black ink, appearing to read 'Adam F. Greenstone', with a long horizontal flourish extending to the right.

Adam F. Greenstone