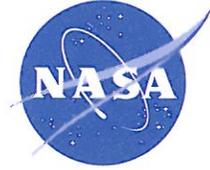


National Aeronautics and
Space Administration
Headquarters
Washington, DC 20546-0001



April 10, 2014

Reply to Attn of: **General Law Practice Group**

TO: Distribution

FROM: Alternate Designated Agency Ethics Official

SUBJECT: Determination Regarding Attendance by NASA Attendees at the Exelis, Inc., Information Systems 50th Anniversary Deep Space Network Event on April 10, 2014

On April 10, 2014, Exelis, Inc., Information Systems (Exelis), will host a reception at the Smithsonian National Air and Space Museum, 601 Independence Ave., 6th St. SW, in Washington, DC, from 7:00 p.m. The purpose of this event is to celebrate the 50th anniversary of the NASA Deep Space Network (DSN).

Approximately 274 people have been invited to attend. The estimated cost of the event including all food and beverages is \$25.00. The event will be attended by Congressional members and staff, state and local officials, academia, industry representatives, personnel from other Federal Agencies, media, and members of the public. I find that this event meets the requirements of a "widely attended gathering" as defined in 5 C.F.R. § 2635.204(g).

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 various NASA programs with representatives of diverse stakeholders. Accordingly, I have determined that NASA employees whose duties do not substantially affect the sponsor, including NASA employees in non-career positions who are required to sign the ethics pledge under Executive Order 13490, may accept an invitation for themselves for free attendance to the event.

Pursuant to 5 C.F.R. §2635.204(g)(3)(1), I further determine, with regard to those NASA employees in specified roles whose job duties substantially affect the event sponsor, that they may similarly accept an invitation for attendance to the event in light of the importance of the event. The 50th anniversary of the Deep Space Network is a significant milestone in the collaboration between NASA, its academic partner the California Institute of Technology, and NASA international partners which participate in the DSN. Moreover, recognition of this milestone advances NASA's mission to disseminate information about agency programs to the maximum possible extent. Accordingly, in consultation with the Chief Counsel of NASA's Management Office located within the Jet Propulsion Laboratory, I have determined that invited

NASA employees with duties substantially affecting the event sponsor – including NASA employees required to sign the ethics pledge under Executive Order 13490 – may accept an invitation to attend the event for free.¹ In this context, which celebrates a major anniversary, participation by personnel with significant roles in maintaining and utilizing the Deep Space Network advances important operational objectives. Accordingly, participation by these NASA employees is in the interest of the Agency and the Agency's interest in the employee's participation in the event outweighs the concern that acceptance of the gift of free attendance may or may appear to improperly influence the employee in the performance of his/her official duties.

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 Exelis will be distributing a commemorative coin valued at \$6.30.



Adam F. Greenstone

¹ This determination applies to employees serving in the following offices if they elect to attend and have duties requiring an individual determination: NASA Administrator, NASA Associate Administrator, Chief-of-Staff, Associate Administrator for Human Exploration and Operations, NASA Chief Scientist, Associate Administrator for International and Interagency Relations, Associate Administrator for the Science Mission Directorate, Deputy Associate Administrator for the Science Mission Directorate, Director for Planetary Science, Deputy Associate Administrator for SCaN, Director Network Services SCaN, Director Human Spaceflight Cap Division, Network Services Operations Manager SCaN, Assistant Deputy Associate Admin SCaN, Policy & Strategic Communication Manager SCaN, Acting Policy & Strategic Communication Manager SCaN, Spectrum Manager SCaN, SCaN System Engineer, Electronics Engineer, Assistant Navigation Guide and Control Systems, NMO General Engineer, NMO Contract Specialist, Director NMO, NMO Supervisory Contract Specialist, NMO Intelligence Operations Specialist. Employees with a speaking role, including but not limited to the keynote speaker, may accept an invitation to attend under 5 CFR § 2635.204(g)(1).