National Aeronautics and Space Administration

Kennedy Space Center
Kennedy Space Center, FL 32899

October 16, 2009

Reply to Attn of: CC-A

TO: Distribution

FROM: CC/Chief Counsel

SUBJECT: Determination Regarding Attendance by NASA Employees at the Astronaut Autograph and Memorabilia Show Weekend, November 7-8, 2009

The Astronaut Scholarship Foundation (ASF), a non-profit 501(c)(3) organization, will host the Apollo 12 40th Anniversary Gala and Astronaut Autograph and Memorabilia Show at the Kennedy Space Center Visitor Complex and the Radisson Resort at the Port on November 7-8, 2009. The Gala will honor Apollo 12 crewmembers Alan Bean and Richard Gordon and the Autograph and Memorabilia Show will feature astronauts and space icons from the Mercury, Gemini, Apollo, Skylab, and Space Shuttle programs. More than 50,000 invitations have been distributed across the country. Invitees include corporate and industry executives and workers, members of academia, representative of aerospace contractors, community leaders, Federal Government officials, military leaders and other space enthusiasts. The market value of the tickets are $200 per person for the Gala dinner and $10 per person for the autograph show.

I find this event meets the requirements of a "widely attended gathering" as defined in 5 C.F.R. § 2635.204(g). I further determine that there is an Agency interest in having NASA employees attend theses events. Through attendance, NASA employees will be able to honor and show support for the astronauts and NASA's historic programs. In addition, these events are a forum for the attendees to disseminate information on NASA's ongoing activities and to discuss matters of interest to NASA with a diverse group of fellow attendees.

Accordingly, NASA employees whose duties do not substantially affect any of the sponsors, including NASA employees in non-career positions who are required to sign the ethics pledge under the Executive Order 13490, may accept an invitation for free attendance at the event for themselves and a guest. NASA employees whose duties may substantially affect ASF, 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 these events from the Chief Counsel's Office.

Finally, this event includes a fundraising auction. As a reminder, Federal employees should avoid participating in any of the fundraising activities, including any promotional, production, or presentation activities. Employees should also avoid making any requests for support for any nonprofit organization.

Geoffrey Swanson

for Jerald D. Stubbs
Agency Designee

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STDL-A