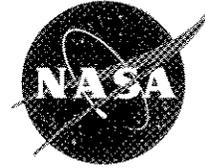


National Aeronautics and Space Administration
Headquarters
Washington, DC 20546-0001



April 3, 2009

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 Rotary National Award for Space Achievement Foundation Reception and Dinner on May 8, 2009

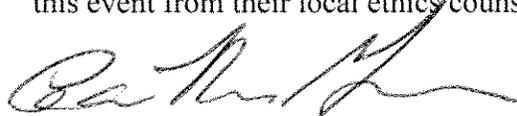
On May 8, 2009, the Rotary National Award for Space Achievement (RNASA) Foundation of Houston, Texas will host a reception, banquet, and awards ceremony at the Houston Hyatt Regency Hotel. RNASA indicates that it is not a charitable organization, but that it is organized as a nonprofit, per section 501(c)(3) of the I.R.C., and does not employ lobbyists. RNASA has indicated that the honoree will be the former Administrator, Dr. Michael D. Griffin, who will receive the National Space Trophy. RNASA has requested a determination of the event as a "widely-attended gathering" (WAG) per 5 C.F.R. § 2635.204(g)

RNASA has transmitted invitations to corporations and to individuals. RNASA anticipates that approximately 800 individuals will attend, from throughout the aerospace community and industry, including industry leaders, officials from other Federal agencies, members of Congress and their staffers, academia, and other aerospace associations. The cost of the dinner, including the reception, is just under \$100 per person. RNASA has indicated that it will make the seating arrangements, and has invited approximately 100 NASA employees to attend at no cost. RNASA states that corporate banquet table sponsors may not specify specific Federal employees to be seated at their tables.

I find that this event meets the requirements of a "widely attended gathering" as defined in 5 CFR § 2635.204(g). I further determine that there is an Agency interest in having NASA personnel attend the event. The recognition of a former NASA Administrator will permit candid discussion amongst persons with a variety of viewpoints on U.S. space policy, and will permit dissemination of information about NASA activities. Accordingly, NASA employees whose duties do not substantially affect the sponsors or a majority of its members may accept an invitation for free attendance to the dinner for themselves and their invited guests.

I also note that other entities may arrange for receptions or similar events before and after the banquet. Employees may attend these events only if the value of attendance is \$20 or under (and they have not accepted over \$50 from that source in the calendar year), or they pay the fair market value to the sponsor of the event. As these are not part of the RNASA event, they are not included within this WAG determination.

However, NASA employees whose duties may substantially affect the sponsors of the particular table at which they are seated, such as by way of procurement duties, should seek an individual determination pursuant to 5 CFR § 2635.204(g)(3)(i) regarding participation in this event from their local ethics counselor.

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

Adam F. Greenstone