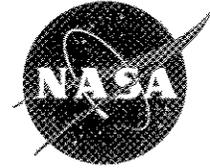


National Aeronautics and Space Administration
Headquarters
Washington, DC 20546-0001



May 14, 2009

Reply to Attn of: General Law Practice Group

TO: Distribution

FROM: Alternate Designated Agency Ethics Official

SUBJECT: Determination Regarding Attendance at the Federation of Galaxy Explorers' Fifth Galaxy Ball on June 6, 2009

On June 6, 2009, the Federation of Galaxy Explorers' will hold its fifth annual Galaxy Ball at the Westin Arlington Gateway Hotel in Arlington, VA. The Federation, a nonprofit organization under section 501(c)(3) of the Internal Revenue Code, inspires and educates children in space-related science and engineering disciplines. Through the Federation, adult volunteers provide children with a "hands on" understanding of space science, earth science, engineering, and rocketry.

The Galaxy Ball will be a widely attended gathering of approximately 250 including people from the corporate and Federal government sectors, as well as volunteers who have supported the Federation's education activities. In addition, the Federation will promote its Space Leadership Award which is presented to the individual who, above all others, demonstrates superior leadership before the public to advance the exploration and development of space. This year they are honoring Pete Wilhelm, Director, Naval Center for Space Technology, Naval Research Laboratory, and Miles O'Brien, former CNN Chief Technology and Environment Correspondent. Tickets to the reception and dinner, valued at \$120 per person, are being offered to some NASA personnel and their guests at no cost. Although member corporations provide open seating at their tables to accommodate guests invited by the Federation, the Federation is solely responsible for selecting, inviting, and seating NASA guests.

Attendance at the Ball will allow NASA representatives to establish an Agency presence at an event celebrating work done by the Federation and its volunteers to stimulate children to pursue careers in science and engineering. Attendance will also allow NASA personnel to exchange views relating to NASA's mission with individuals from the corporate and non-profit sectors, the Hill, and other Federal agencies.

In addition, each attendee will receive an assortment of mementos valued at approximately \$5 each. 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. Accordingly, in addition to accepting free attendance at the event, NASA employees may accept these mementos, so long as they do not exceed the \$50 cap on gifts from one source in a calendar year.

Gifts given to spouses of employees are included in the total amount that must comply with this determination.

There is a fundraising aspect to the event, a silent 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 the nonprofit organization.

I find that the Galaxy Ball meets the requirements of a "widely attended gathering" as defined in 5 C.F.R. § 2635.204(g). Consequently, I conclude that NASA's interest in its employees attending this event outweighs any concern that such free attendance may, or may appear to, improperly influence any NASA personnel in the performance of their official duties. Accordingly, NASA employees may accept an invitation from the Federation to attend this event along with a guest free of charge.

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

Adam F. Greenstone