

National Aeronautics and Space Administration
Kennedy Space Center
Kennedy Space Center, FL 32899



September 24, 2012

Reply to Attn of:

CC-A

TO: Distribution

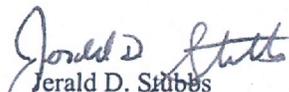
FROM: CC/Chief Counsel

SUBJECT: Determination Regarding Attendance by NASA Employees at the 40th Anniversary Celebration of Apollo 17, November 3, 2012.

The Astronaut Scholarship Foundation (ASF), a non-profit organization under 501(c)(3) of the Internal Revenue Code, will host the 40th Anniversary Celebration of Apollo 17 at the Kennedy Space Center Visitor Complex's Apollo Saturn V Center on November 3, 2012. The Gala will honor the success of the Apollo 17 mission and overall Apollo program, as the final celebration in a series of anniversary events. Apollo astronauts scheduled to attend include: Buzz Aldrin, Charles Duke, Fred Haise, Edgar Mitchell, Alan Bean, Gene Cernan, Jim McDivitt, Richard Gordon, Harrison Schmitt, Rusty Schweickart, Dave Scott, Thomas Stafford and Al Worden. Invitees include corporate and industry executives and workers, members of academia, aerospace contractors, tourism and community leaders, Federal Government officials, military leaders and other space enthusiasts. The market value of the tickets is \$300 per person.

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 these events. Through attendance, NASA employees will be able to honor and show support for the astronauts and NASA's historic Apollo program. 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. 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.


Gerald D. Stubbs
Agency Designee