

National Aeronautics and Space Administration

Headquarters

Washington, DC 20546-0001



April 18, 2016

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 Smithsonian's Future Festival on April 22-24, 2016

On April 22-24, 2016, the Smithsonian Institute, along with the Lockheed Martin, Toyota Prius, John Templeton Foundation, Arthur C. Clark Center, Media Partners, Air & Space Smithsonian Magazine, The Washington Post, Io9/Gizmodo and WAMU 88.5, will host a Future Festival at the Smithsonian National Air and Space Museum and Shakespeare Theatre's Sidney Harman Hall in Washington, D.C. Approximately 1,000 people have been invited to attend the festival, including personnel from the academia and industry, employees of other Federal agencies, employees of the Smithsonian, media, and students from local universities. The festival features a series of guest speakers, panels, discussions, and demonstrations by researchers, industry experts, and science enthusiasts in the space industry. I find that the festival meets the requirements of a "widely attended gathering" as defined in 5 C.F.R. § 2635.204(g).

The festival includes the following events to which NASA employees have been invited:

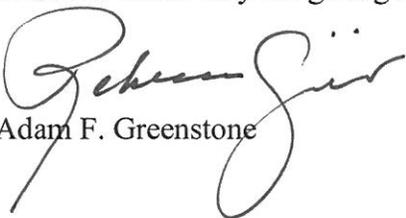
1. Reception and show, April 22, 2016: The Smithsonian Institute, along with the Lockheed Martin, are holding a reception starting at 5:30 p.m. at the Shakespeare Theatre's Sidney Harman Hall in Washington, DC. Approximately 150 people have been invited, including personnel from the academia and industry, employees of other Federal agencies, employees of the Smithsonian, and the media. The Smithsonian Institute is in charge of the arrangements and seating. The approximate cost per person is \$50.00.
2. Speakers' Luncheon, April 23, 2016: Arthur C. Clarke Foundation, a nonprofit organization under 501(c)(3) of the Internal Revenue Code, is holding a luncheon at 12:30 p.m. at the Rosa Mexicano in Washington, DC. Approximately 100 people have been invited, including leaders from industry, employees of other Federal agencies, employees of the Smithsonian, and members of the media. The approximate cost per person is \$33.00.
3. Cocktail reception, April 23, 2016; The Smithsonian Institute, along with the Lockheed Martin, Toyota Prius, John Templeton Foundation, Arthur C. Clark Center, Media Partners, Air & Space Smithsonian Magazine, The Washington Post, Io9/Gizmodo and WAMU 88.5, are holding a reception starting at 7:00 p.m. Approximately 300 people have been invited, including personnel from the academia and industry, employees of other Federal

agencies, employees of the Smithsonian, and members of the media. The Smithsonian Institute is in charge of the arrangements. There is no seating. The approximate cost per person is \$40.00.

I further determine 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 NASA programs. Accordingly, NASA employees, with exceptions noted below, may accept free attendance to these events.

*However, NASA employees who are in non-career positions which Executive Order 13490 requires signing an ethics pledge, who have been invited to attend may only attend the Reception and Show on April 22, if they reimburse the host at fair market value. Additionally, NASA employees whose duties may substantially affect the sponsors, such as by way of contracting duties, should seek an individual determination pursuant to 5 C.F.R. § 2635.204(g)(3)(i) regarding participation in these events from their local ethics counselor to attend under the widely attended gathering exception.*

The NASA Administrator or the Deputy Administrator may accept free attendance at the events at which they are giving a keynote address, under 5 C.F.R. § 2635.204(g)(1).

  
for Adam F. Greenstone