

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



September 26, 2013

Reply to Attn of:

CC-A

TO: All NASA Employees

FROM: CC/Chief Counsel

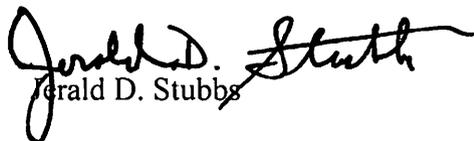
SUBJECT: Determination Regarding Attendance by NASA Employees at the Tropical Evening with the Astronauts, November 8-9, 2013

The Astronaut Scholarship Foundation (ASF), a non-profit organization under 501(c)(3) of the Internal Revenue Code, will host a Tropical Evening with the Astronauts, to include a reception Friday evening and a formal dinner Saturday night, at the Radisson Resort at the Port, Port Canaveral, Florida on November 8-9, 2013. The event will honor the success of the Space Program. Astronauts scheduled to attend include: Buzz Aldrin, Alan Bean, Dan Brandenstein, Gene Cernan, Mary Cleave, Walt Cunningham, Charles Duke, Ed Gibson, Richard Gordon, Fred Haise, Tom Jones, Jack Lousma, Bruce McCandless, Mike McCulley, Edgar Mitchell, Mike Mullane, Bill Pogue, Dave Scott, Bob Springer, 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. Ticket prices are \$300 per person. The ticket includes the employee plus one guest for the dinner.

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 this event. Through attendance, NASA employees will be able to honor and show support for the astronauts and NASA's historic space program. In addition, this event is 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 ASF, including those employees who are in non-career positions for which Executive Order 13490 requires the signing of an ethics pledge, may accept an invitation for complimentary attendance for themselves and a guest at the event. 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. § 2635.205(g)(3)(i) regarding participation in this event from their local ethics counselor.

Finally, please note that some NASA contractors may be providing sponsorship for this event and purchasing tables at which ASF may seat other attendees. To avoid the appearance of a conflict of interest, NASA employees who attend the dinner should avoid sitting at a table sponsored by a contractor with whom they are closely and currently involved or expect to be involved within the next few months, (e.g. by way of source selection or contract administration duties).


Gerald D. Stubbs