

National Aeronautics and
Space Administration
Goddard Space Flight Center
Greenbelt, MD 20771



JAN 27 2004

Reply to Attn of: 140

TO: 100/Director

FROM: 140/Chief Counsel

SUBJECT: Attendance at Widely Attended Gathering

Employees have been invited to attend the Grand Opening of the National Federation for the Blind's (NFB's) Research and Training Institute Facility, 1800 Johnson Street, in Baltimore, Maryland on January 30, 2004. The Facility will be the nation's first center dedicated to the development of innovative technology, education, and training for the blind, led by the blind. The event will celebrate the contributions of the blind community and focus on the potential of the facility as a world-wide recognized center to assist the blind.

Approximately 1000 individuals have been invited to attend the event, representing various organizations in the public and private sectors. Tickets are priced at \$50.00. NASA has a number of relationships with the NFB as well as with organizations whose officials will be in attendance, with whom, and with whose affiliates, interaction will further facilitate these relationships. The NASA Administrator will be a speaker for the event, and other employees will be involved in NASA exhibits for the event.

The Standards of Ethical Conduct for Employees of the Executive Branch, 5 CFR Part 2635, generally prohibit the acceptance of gifts offered by a source on the basis of an individual's official position or from prohibited sources, including organizations a majority of whose members are considered prohibited sources.

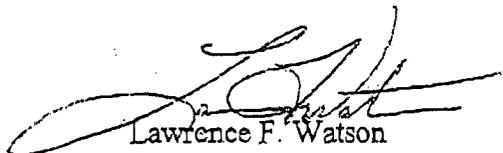
However, pursuant to the exception at 5 C.F.R. 2635.204(g)(2) for widely attended gatherings, employees may accept invitations to the above-described events if you, as the NASA Goddard designee (5 C.F.R. 2635.204(g)(3) and 6901.102(d)(2)), determine that the following are met:

1. A large number of persons are expected to attend representing a diversity of views or interests, by either being open to members from throughout the interested industry or profession or those in attendance represent a range of persons interested in a given matter.
2. The gift must be unsolicited.

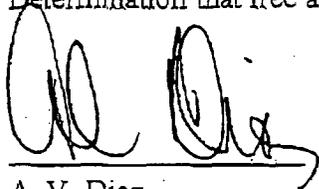
3. Attendance must be in the interest of NASA because it will further agency programs or operations.

4. The agency's interest in the employees' participation in the event outweighs the concern that acceptance of the gift of free attendance may or may appear to improperly influence the employees in the performance of their official duties concerning the sponsor.

In my opinion, the event qualifies for free attendance by employees under these standards. Also, you may make the determination for the attendance of your spouse, as authorized by the NASA General Counsel, to the extent her attendance would be as your spouse, and not as a direct invitee in her capacity as a representative of NASA Headquarters. The latter would require a similar determination by a Headquarters official.


Lawrence F. Watson

Determination that free attendance as described above may be accepted:


A. V. Diaz
Director

1/27/04
Date