

National Aeronautics and Space Administration

Headquarters
Washington, DC 20546-0001



October 21, 2016

Reply to Attn of: General Law Practice Group

TO: Distribution

FROM: Alternate Designated Agency Ethics Official

SUBJECT: Determination Regarding Attendance at Events Related to the Historically Black Colleges and Universities Week Conference Events, October 23-25, 2016

Representatives from NASA have been invited to attend a series of events in conjunction with the Historically Black Colleges and Universities Week Conference (HBCU) events. The following are events that NASA employees are attending:

1. Welcome Reception, October 23, 2016: The ASPIRE TV, Aramark Corporation, The Bill and Melinda Gates Foundation, Billion Dollar Roundtable, Lockheed Martin, Northrop Grumman Corporation, The Home Depot, Chevron, Intel, Lumina Foundation, and The Kresge Foundation are holding a reception at 5:00 p.m. at the Renaissance Grand Ballroom, Arlington, VA. Approximately 1200 people have been invited, including Congressional members and their staff, other U.S. Government agencies, state and local government officials, representatives from industry, academia, media, and the public. The approximate cost per person is \$20.00.

2. Better Make Room: Student Movements and Empowerment (Then and Now) Luncheon, October 24, 2016: The Bill & Melinda Gates Foundation, a nonprofit organization under 501(c)(3) of the Internal Revenue Code, is holding a luncheon at 12:30 p.m. at the Renaissance Grand Ballroom, Arlington, VA. Approximately 1200 people have been invited, including Congressional members and their staff, other U.S. Government agencies, state and local government officials, representatives from industry, academia, media, and the public. The approximate cost per person is \$51.00.

3. HBCU All-Star Student Induction Ceremony and Reception, October 24, 2016: The ASPIRE TV, Aramark Corporation, The Bill and Melinda Gates Foundation, Billion Dollar Roundtable, Lockheed Martin, Northrop Grumman Corporation, The Home Depot, Chevron, Intel, Lumina Foundation, and The Kresge Foundation are holding a reception at 6:30 p.m. at the Renaissance Grand Ballroom, Arlington, VA. Approximately 350 people have been invited, including Congressional members and their staff, other U.S. Government agencies, state and local government officials, representatives from industry, academia, media, and students. The approximate cost per person is \$31.00.

4. Yes We Did!: Leave a Legacy Luncheon, October 25, 2016: The ASPIRE TV, Aramark Corporation, The Bill and Melinda Gates Foundation, Billion Dollar Roundtable, Lockheed Martin, Northrop Grumman Corporation, The Home Depot, Chevron, Intel, Lumina Foundation, and The Kresge Foundation are holding a luncheon at 12:15 p.m. at the Renaissance Grand Ballroom, Arlington, VA. Approximately 1200 people have been invited, including Congressional members and their staff, other U.S. Government agencies, state and local government officials, representatives from industry, academia, media, and the public. The approximate cost per person is \$51.00.

I find that these events meet the requirements of a widely attended gathering as defined in 5 C.F.R. § 2635.204(g). Because of NASA's interest in the collaboration and participation of the Science, Technology, Engineering and Math (STEM) Program, I find that there is an Agency interest in having NASA personnel attend. NASA employees whose duties do not substantially affect the sponsors may accept an invitation for free attendance at these events for themselves. NASA employees, whose duties may substantially affect these co-sponsors, 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 this event from their ethics counselor.

However, NASA employees who are in non-career positions in which the President's Executive Order of January 21, 2009, requires signing an ethics pledge may accept free attendance at the Welcome Reception and the Better Make Room: Student Movements and Empowerment (Then and Now) Luncheon, but may only attend the Welcome Reception, Yes We Did!: Leave a Legacy Luncheon, and the HBCU All-Star Student Induction Ceremony and Reception if they reimburse the sponsors the cost of the reception.

Kathleen T. Spear

for Adam F. Greenstone