

National Aeronautics and Space Administration



Headquarters
Washington, DC 20546-0001

May 11, 2022

Reply to Attn of: General Law Practice Group

TO: Distribution

FROM: Agency Counsel for Ethics

SUBJECT: Determination Regarding Attendance by NASA employees at the Aerospace Industries Association/Challenger Center Reception on June 2, 2022

On June 2, 2022, the Aerospace Industries Association (AIA), a nonprofit organization under 501(c)(6) of the Internal Revenue Code, and Challenger Center, a nonprofit organization under 501(c)(3) of the Internal Revenue Code, will host an Apollo 1 Reception at the Military Women's Memorial, Arlington National Cemetery in Arlington, Virginia from 10:00 a.m. – 12:00 p.m. The event is to provide a venue for informal discussion on current challenges the aerospace community is facing. At the ceremony, there will be a wreath laying and remarks commemorating the occasion.

Approximately 100 people have been invited to attend the reception. Attendees will have a diversity of views or interests and will include representatives of the executive and legislative branches of government, personnel from academia, industry representatives, members of the public, and media. The estimated value of the event, including all food and beverages, is approximately \$20 per person. The AIA and Challenger Center are jointly in control of the all the organizing, planning and invitations for the event.

Attendance at this event will allow NASA attendees to exchange information regarding various NASA programs. There is also an Agency interest in having NASA personnel attend these events because it will provide an opportunity for the invited persons to exchange ideas and views pertaining to NASA's policies, programs and operations. I find that the event meets the requirements of a "widely attended gathering" as defined in 5 C.F.R. § 2635.204(g).

Accordingly, NASA employees who do not have a significant role in a matter affecting the interests of the AIA or the Challenger Center—including NASA employees in non-career positions who are required to sign the ethics pledge under Executive Order 13989—may accept an invitation from the hosts for free attendance for themselves and a guest to this event. In those circumstances, I find that the Agency's interest in attendance outweighs any concern that the individual may be, or may appear to be, improperly influenced in the performance of their duties.

However, NASA employees in non-career positions who are required to sign the ethics pledge under Executive Order 13989 may only attend if they reimburse the hosts the value of the event.¹ However, NASA employees who have a significant role in any pending matter affecting the interests of the AIA or the Challenger Center, such as procurement duties, program management, or negotiating or administering a Space Act Agreement, or who receive an invitation from a party other than the event hosts, should seek a separate determination from their local NASA ethics office as to whether they may accept the invitation. Attendees are reminded to exercise any COVID-19 precautions appropriate to their individual situation.



Adam F. Greenstone

¹ A non-career NASA employee subject to the ethics pledge of Executive Order 13989 may attend without reimbursing the hosts if the individual is speaking in the event program pursuant to 5 C.F.R. §2635.203(b)(8)(i).