

National Aeronautics and Space Administration

**Headquarters**  
Washington, DC 20546-0001



December 9, 2019

Reply to Attn of: General Law Practice Group

**TO:** Distribution

**FROM:** Agency Counsel for Ethics

**SUBJECT:** Determination Regarding Attendance by NASA Employees at the Analytical Graphics, Inc. Reception December 13, 2019

On December 13, 2019, Analytical Graphics, Inc. (AGI), will host a reception at the Cosmos Club in Washington, D.C. starting at 7:00 p.m. The event will provide an opportunity for informal discussion on the challenges surrounding human spaceflight. AGI is in control of the invitations, planning and organizing for the reception.

Approximately 400 people are expected to attend the reception. The estimated cost for the reception, including all food and beverages, is approximately \$180 per person. Attendees will have a diversity of views or interests and will include personnel from other federal agencies, representatives from the legislative branch of the government, academia, industry, media, and members of the public. Attendance at this event will allow NASA attendees to exchange information regarding various NASA missions and programs. I find that 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 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. Accordingly, NASA employees who do not have a significant role in a matter affecting the interests of any of the AGI may accept an invitation 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 13770 may only attend the reception if they reimburse the organizers the fair market value of the event. Additionally, NASA employees who have a significant role in any pending matter affecting the interests of any of the organizers, such as procurement duties, program management, or negotiating or administering a Space Act Agreement, should seek a separate determination from their local ethics counselor as to whether they may accept the invitation for this event.

You are also reminded of the \$20 gift exception at 5 C.F.R. § 2635.204(a), at which provides that employees may accept gift items valued at no more than \$20 per occasion (and no more than \$50 from one source in a calendar year). We understand AGI will be giving a hanging Mistletoe bunch to all attendees. All NASA employees attending may accept the mistletoe without reimbursing the sponsor.

A handwritten signature in black ink, appearing to read 'Adam F. Greenstone', written in a cursive style.

Adam F. Greenstone