

National Aeronautics and Space Administration



Headquarters
Washington, DC 20546-0001

December 2, 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
Ball Aerospace Celebration of Innovation Reception on December 10, 2019

On December 10, 2019, Ball Aerospace will host an event at the Ronald Reagan Building, Rotunda in Washington, D.C. from 5:00 to 8:00 p.m. The estimated value of the event, including all food and drink, is approximately \$45 per person. The event is to provide a forum for discussion on innovation and technology. Ball Aerospace is in control of all the arrangements and invitations for the event.

Approximately 500 people have been invited to attend the event. Attendees will have a diversity of views or interests and will include members from the legislative branch, personnel from federal agencies, industry, academia, and members of the public. 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 this event 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 this 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 Ball Aerospace, may accept an invitation for free attendance 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 if they reimburse the hosts the value of the event. Additionally, NASA employees who have a significant role in any pending matter affecting the interests of Ball Aerospace, 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 under the widely attended gathering exception.

A handwritten signature in black ink, appearing to read "Adam F. Greenstone".

Adam F. Greenstone