

National Aeronautics and Space Administration



Headquarters
Washington, DC 20546-0001

February 5, 2020

Reply to Attn of: General Law Practice Group

TO: Distribution

FROM: Agency Counsel for Ethics

SUBJECT: Determination Regarding Attendance by NASA Employees at the Coalition for Deep Space Exploration Reception, February 11, 2020

On February 11, 2020, the Coalition for Deep Space Exploration (Coalition), a nonprofit organization under 501(c)(6) of the Internal Revenue Code, will host a reception at the Washington Court Hotel, Washington, DC, from 6:00 p.m. – 8:00 p.m. The event is to provide a venue for informal discussion for representatives from industry, government, Congress, academia, and associations interested in deep space human exploration and space science. The Coalition is in control of the planning, organizing and issuing of invitations for this event.

Approximately 300 people are expected to attend the event. Attendees will have a diversity of views or interests and will include personnel from other federal agencies, representatives from the legislative branch, academia, industry, professional societies, and scientific organizations. The estimated cost of the event, including all food and beverages, is approximately \$35 per person. 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 the event meets the requirements of a "widely attended gathering" as defined in 5 C.F.R. § 2635.204(g).

NASA employees, including NASA employees in non-career positions who are required to sign the ethics pledge under Executive Order 13770, who do not have a significant role in a matter affecting the interests of the sponsor may accept an invitation for free attendance to the 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 who have a significant role in any pending matter affecting the interests of the Coalition, such as procurement duties, program management, or negotiating or administering a Space Act Agreement, should seek a separate determination from their local NASA ethics office as to whether they may accept the invitation.

Kathleen T. Spear

for Adam F. Greenstone