

National Aeronautics and Space Administration

Headquarters

Washington, DC 20546-0001



February 7, 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 Goddard Memorial Awards Dinner on March 18, 2022

On March 18, 2022, the National Space Club and Foundation (the Club), a nonprofit organization under 501(c)(3) of the Internal Revenue Code, will host a gala reception and dinner at the Washington Hilton in Washington, D.C. The event will start with a general reception at 6:30 p.m. where the awardees are introduced and meet senior level attendees, followed by dinner starting at 7:30 p.m. At the dinner, awards will be presented to various individuals, including local students, for accomplishments in spaceflight, engineering, science, management and education. The premiere award, the Robert H. Goddard Memorial Trophy, will be presented to “an individual, group or program deemed to have made the most significant contribution to space activity in the previous year.” This year the award will be presented to The Ingenuity Mars Helicopter Team.

Approximately 2,500 people are expected to attend the event. Attendees will have a diversity of views or interests and will include members from the legislative branch, academia, industry representatives, employees of other Federal agencies, media, and members of the public. The estimated value of the reception and dinner, including all food and beverages, is \$300 per person. The National Space Club is in control of the planning and seating for both the reception and dinner.

There will be an earlier awardee recognition reception hosted by the Club for the awardees, heads of agencies, senior academia representatives and senior industry representatives which approximately 150 people will attend from 6:00 to 7:00 p.m. There will not be separate food or beverage service at the awardee recognition reception—invitees will obtain food and beverage from the general reception area. The awardee recognition reception will give the awardees the opportunity to meet senior leaders from different sectors.

Attendance at these events 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 both the plenary reception and dinner and the awardee recognition reception meet the requirements of a “widely attended gathering” as defined in 5 C.F.R. § 2635.204(g).

Accordingly, NASA employees—including NASA employees in non-career positions who are required to sign the ethics pledge under Executive Order 13989—who do not have a significant role in a matter affecting the interests of the National Space Club and Foundation—may accept an invitation for free attendance for themselves and a guest to these events. 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 National Space Club and Foundation, 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. Also, NASA employees who receive an invitation from an entity other than the National Space Club and Foundation should seek a separate determination from their local NASA ethics office.

This widely attended gathering determination does not cover the receptions in hospitality suites that may occur both before and after the Goddard Memorial Awards Dinner. These suites will be hosted by corporate sponsors. NASA employees not subject to the ethics pledge of Executive Order 13989 who are invited, may receive refreshments provided in these suites under the exception to the gift rules that allows acceptance of gifts (including refreshments and tangible gift items) with an aggregate value of \$20 or less per event, though not to exceed \$50 from the same source in the same year. However, non-career NASA employees subject to the ethics pledge required by Executive Order 13989 must provide reimbursement for the fair market value of any refreshments they or their guests consume in the hospitality suites. We understand that honor baskets to do so will be provided. Attendees are reminded to exercise any COVID-19 precautions appropriate to their individual situation.



Adam F. Greenstone