

National Aeronautics and Space Administration

Headquarters
Washington, DC 20546-0001



November 19, 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 Planet Reception on November 20, 2019

On November 20, 2019, Planet will host an event at the Barrel restaurant in Washington, DC from 5:00 p.m. to 8:00 p.m. The event will provide a forum for informal discussion on space policy, to include civil, commercial and national security and how they support each other. Planet is in control of the planning and invitations for this event.

Approximately 700 people have been invited 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 of the government, industry representatives, academia, and members of the media. The estimated cost for the reception, including all food and beverages, is approximately \$40 per person. Attendance at this event will allow NASA attendees to exchange information regarding various NASA missions and programs and keep abreast of commercial space sector developments. 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 Planet 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.

Attendees 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 there may be a pair of socks given to attendees which does not exceed the \$20 threshold.

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

Adam F. Greenstone