

National Aeronautics and Space Administration



Headquarters
Washington, DC 20546-0001

February 11, 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
United Launch Alliance Satellite 2020 Reception on March 10, 2020

On March 10, 2020, United Launch Alliance (ULA) will host an event at the National Portrait Museum, in Washington, DC, from 7:00 to 9:00 p.m. The estimated value of the event, including all food and drink, is approximately \$73 per person. The event is to provide a forum for continuing discussion on the program presented at the 2020 ULA Satellite Conference. ULA is in control of all the arrangements and invitations for the event.

Approximately 1250 people have been invited to attend the event. Attendees will have a diversity of views or interests and will include personnel from federal agencies, members from the legislative branch, representatives from industry, academia, and professional societies and associations. 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 ULA, 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 ULA, 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.

Attendees (other than non-career employees in positions which requires signing the ethics pledge under Executive Order 13770) 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 will be a coffee mug valued at approximately \$10.00, a coaster valued at approximately \$1.00, and an ULA pin valued at \$.79, for a total of \$11.79, given to attendees at the reception.



Adam F. Greenstone