

National Aeronautics and Space Administration

Headquarters

Washington, DC 20546-0001



February 6, 2023

Reply to Attn of: General Law Practice Group

TO: Distribution

FROM: Agency Counsel for Ethics

SUBJECT: Determination Regarding Attendance by NASA employees at the Space Transportation Association (STA) Luncheon on February 7, 2023

On February 7, 2023, the Space Transportation Association (STA), a nonprofit organization under 501(c)(6) of the Internal Revenue Code, will host a lunch at the Capitol Hill Club, in Washington, DC, starting at 11:30 a.m. The guest speaker is Jody Singer, Director, Marshall Space Flight Center and Jim Free, Associate Administrator for Exploration Systems Development, NASA.

Approximately 40 people are expected to attend. Attendees will have a diversity of views or interests and will include members from the legislative branch, industry representatives, academia, employees of Federal agencies, and media. The estimated cost of the event, including all food and beverages, is approximately \$25 per person (no cost for attendees). STA is in control of the planning and invitations for this event. Attendance at this event will allow NASA attendees to exchange information regarding various NASA programs. I find that the event meets the requirements of a “widely attended gathering” as defined in 5 C.F.R. § 2635.204(g)(2).

I further determine that there is an Agency interest in having NASA personnel attend the event because it will provide an opportunity for the invited persons to exchange ideas and views pertaining to NASA’s policies, programs and operations. 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 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 STA, 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.

Adam F. Greenstone