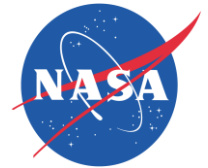


National Aeronautics and
Space Administration

Mary W. Jackson Building NASA Headquarters
Washington, DC 20546-0001



July 11, 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 Joint
"JWST and Beyond Event" on July 13, 2023

On July 13, 2023, Northrop Grumman, Ball Aerospace, L3/Harris, Lockheed Martin, and Association of Universities for Research in Astronomy (AURA), AURA being designated as a not-for-profit organization under Section 501(c)(3) of the Internal Revenue Service Code, will jointly hold a reception at The National Academies Great Hall, 2101 Constitution Ave., Washington, DC, from 6 p.m. to 9 p.m. AURA will be in control of the planning, organizing, and issuing invitations for this event.

Approximately 400 people are expected to attend the event. Attendees will have a diversity of views or interests and will include personnel from other federal agencies, members of the legislative branch, state and local government officials, representatives from academia, industry, and foreign entities. The estimated cost of the event, including all food and beverages, is approximately \$100 per person. 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 who do not have a significant role in a matter affecting the interests of the five sponsors may accept an invitation for free attendance for themselves and a guest 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 sponsors, 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.

Additionally, NASA employees in non-career positions who are required to sign an ethics pledge under Executive Order 13989 may only accept the invitation if they reimburse the hosts the fair market value of the events.

You are reminded of the \$20 gift exception at 5 C.F.R. § 2635.204(a), which provides that you may accept gifts valued at no more than \$20 per occasion (and no more than \$50 from one source in a calendar year). We understand that AURA will be distributing lapel pins, stickers and informative handouts which NASA attendees, including NASA employees in non-career positions who have signed the ethics pledge, may accept. An honor basket will be provided to reimburse for other gifts.

Attendees are reminded to exercise any COVID-19 precautions appropriate to their individual situation.

Adam F. Greenstone