

National Aeronautics and
Space Administration

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



November 16, 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 L'Oréal
USA For Women in Science Event on November 16, 2023

On November 16, 2023, L'Oréal USA will host a reception and awards program at the Martin Luther King Jr. Memorial Library, 901 G St NW, Washington, DC, 20001, at 6 p.m. The event is being held for the L'Oréal For Women in Science (FWIS) program to honor and celebrate the 2023 FWIS for their accomplishments. They will each be awarded a commemorative trophy.

Approximately 2,000 people have been invited to attend. Attendees will have a diversity of views or interests and will include representatives from the legislative branch, industry, NGOs, leaders for women in STEM, employees of Federal agencies, academia, and the media. The estimated cost of the event, including all food and beverages, is \$136 per person. L'Oréal USA is in control of the organizing, 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 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.

Additionally, NASA employees who have a significant role in any pending matter affecting the interests of L'Oréal USA, 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.

Attendees are reminded of the \$20 gift exception at 5 C.F.R. § 2635.204(a), which provides that employees 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 L'Oréal USA will be

distributing a gift bag which is valued at \$253-\$315. NASA employees may only accept the gift bag and its contents if they reimburse the sponsor the market value of the gift.

Adam F. Greenstone