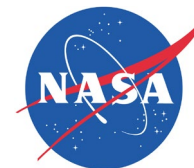


National Aeronautics and
Space Administration

Ames Research Center
Moffett Field, CA 94035-1000



December 7, 2023

Reply to Attn of: ARC-DL

MEMORANDUM FOR RECORD

FROM: Chief Counsel/ARC DL

SUBJECT: Determination Regarding Attendance by NASA employees at the Reception Hosted by the Laboratory for Atmospheric and Space Physics and Ball Aerospace on December 11, 2023

On December 11, 2023, the Laboratory for Atmospheric and Space Physics (LASP) and Ball Aerospace will host a reception celebrating their shared history and the LASP's 75th Anniversary at Novella, located at 662 Mission St., San Francisco, CA 94105, from 6:00 pm to 9:00 pm.

Approximately 350 people are expected to attend the event. Attendees will have a diversity of views or interests and will include members from academia, nonprofits, industry representatives, NASA personnel, and other federal agencies. The reception is anticipated to provide a forum for various discussions on topics such as current and future aerospace missions. The estimated value of the meal at the event is approximately \$90 per person. The LASP and Ball Aerospace are in control of all the arrangements and invitations for the event and are hosting this event independently, including independent funding.

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 LASP and Ball Aerospace may accept an invitation for free attendance for themselves to the Reception. 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 13989, may only attend the event if they reimburse the sponsor the value of the event.

Additionally, NASA employees who have a significant role in any pending matter affecting the interests of either the LASP or Ball Aerospace, such as procurement duties, program management, or negotiating or administering a Space Act Agreement, are not covered by this determination. Those employees should seek a separate determination from this office to determine whether or not they may accept the invitation pursuant to 5 CFR § 2635.204(g)(3)(i).

Christine M. Pham
Chief Counsel, Ames Research Center