

National Aeronautics and
Space Administration



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

March 18, 2024

Reply to Attn of: General Law Practice Group

TO: Distribution

FROM: Agency Counsel for Ethics

SUBJECT: Determination Regarding Attendance by NASA employees at the 67th Annual Dr. Robert H. Goddard Memorial Awards Reception and Dinner on March 22, 2024

On March 22, 2024, the National Space Club and Foundation (the Club), a nonprofit organization under 501(c)(3) of the Internal Revenue Code, will host a reception and dinner at the Washington Hilton, 1919 Connecticut Avenue NW, Washington, DC, 20009, the reception starts at 6:30 pm and the dinner is at 7:30 pm. Awards will be presented to several outstanding individuals for accomplishments in spaceflight, engineering, science, management, and education. The premier award, the Goddard Trophy, will be presented to the individual, group or program deemed to have made the most significant contribution to space activity in the previous year.

Approximately 2,000 people are expected to attend the event. Attendees will have a diversity of views or interests and will include members from the legislative branch, academia, industry representatives, employees of other Federal agencies, media, and members of the public. The estimated value of the reception and dinner, including all food and beverages, is \$400 per person. The National Space Club is in control of the planning and seating for both the reception and dinner.

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 the reception and dinner meet the requirements of a "widely attended gathering" as defined in 5 C.F.R. § 2635.204(g).

Accordingly, 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 National Space Club and Foundation—may accept an invitation for free attendance for themselves and a guest 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 who have a significant role in any pending matter affecting the interests of the National Space Club and Foundation, such as procurement duties, program

management, or negotiating or administering a Space Act Agreement, should seek a separate determination from their local NASA ethics office as to whether they may accept the invitation. Also, NASA employees who receive an invitation from an entity other than the National Space Club and Foundation should seek a separate determination from their local NASA ethics office.

This widely attended gathering determination does not cover the receptions in hospitality suites that may occur both before and after the Goddard Memorial Awards Reception. These suites will be hosted by corporate sponsors. NASA employees not subject to the ethics pledge of Executive Order 13989 who are invited, may receive refreshments provided in these suites under the exception to the gift rules that allows acceptance of gifts (including refreshments and tangible gift items) with an aggregate value of \$20 or less per event, though not to exceed \$50 from the same source in the same year. However, non-career NASA employees subject to the ethics pledge required by Executive Order 13989 must provide reimbursement for the fair market value of any refreshments they or their guests consume in the hospitality suites. We understand that honor baskets to do so will be provided.

Adam F. Greenstone