

National Aeronautics and
Space Administration



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

March 6, 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 2024 Exploring Space Lecture Series on March 6, April 24, May 22, and June 5, 2024

On March 6, April 24, May 22, and June 5, 2024, the National Air and Space Museum, a nonprofit organization under 501(c)(3) of the Internal Revenue Code, will host cocktails/dinner starting at 6:00 pm, at the National Air and Space Museum's National Mall Building, in Washington, D.C.¹ The Exploring Space Lecture Series is an annual series of four public programs presented by the National Air and Space Museum. The four lectures in this year's series will spotlight the sample return missions that have helped us better understand the origin and evolution of the Earth and other planets. Prior to each program is a private dinner that includes the speaker, NASM leadership, NASM guests, and sponsor representatives.

Approximately 10-12 people will attend each dinner. Attendees will have a diversity of views or interests and will include representatives from the legislative branch, state and local government officials, representatives from industry, employees of Federal agencies, and members from the foreign government space agencies. The estimated cost of the event, including all food and beverages, is \$145 per person. The National Air and Space Museum is in control of organizing and planning of this event (Aerojet Rocketdyne and United Launch Alliance are only financial sponsors). 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

¹ To the extent that the event is supported by the National Air and Space Museum as a U.S. Government entity, as distinguished from the Smithsonian Trust, attendance for invited NASA employees is also authorized.

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 Air and Space Museum, 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