

National Aeronautics and
Space Administration

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



June 6, 2022

Reply to Attn of: General Law Practice Group

TO: Distribution

FROM: Agency Counsel for Ethics

SUBJECT: Determination Regarding Attendance by NASA employees at the Advanced Space and Rocket Lab Capstone Launch Event on June 8, 2022

On June 8, 2022, Advanced Space LLC and Rocket Lab USA, Inc., will host a reception at Café Berlin in Washington, DC, from 6:00 p.m. – 8:00 p.m. The event will provide a forum for informal discussion on the challenges of a successful Capstone Mission launch.

Approximately 110 people have been invited to attend. 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 the media. The estimated cost of the event, including all food and beverages, is \$23 per person. Advance Space and Rocket Lab are 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 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 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 Advanced Space and Rocket Lab, 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 Advanced Space and Rocket Lab

will have a mission patch (\$5.00), mission sticker (\$0.45), and a T-shirt (\$16.00) available on a table for guests to pick up. NASA non-career employees subject to the ethics pledge of Executive Order 13989 may not accept gift items from lobbyists or registered lobbying organizations under the \$20 exception. An honor basket will be available for payment.

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

for Adam F. Greenstone