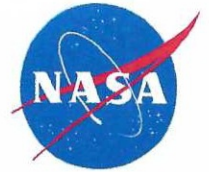


National Aeronautics and
Space Administration



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

October 12, 2021

Reply to Attn of: General Law Practice Group

TO: Distribution

FROM: Agency Counsel for Ethics

SUBJECT: Determination Regarding Attendance by NASA Employees at the Blue Origin Launch on or around October 13, 2021 in West Texas.

On or around October 13, 2021, the Blue Origin Company and Club of the Future, a not-for-profit organization under Section 501(c)(3) of the Internal Revenue Service Code, will provide a continental breakfast and boxed lunch on the day of the launch at the launch site in West Texas. Blue Origin and Club of the Future are jointly in control of the planning, organizing, with each organization issuing invitations for this event.

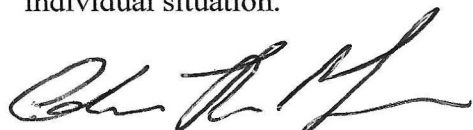
Approximately 50 people are expected to attend the event. Attendees will have a diversity of views or interests and will include personnel from other federal agencies, representatives from academia, industry, and other Science, Technology, Engineering, and Math (STEM) organizations. The estimated cost of the event, including all food and beverages, is approximately \$30 per person (\$12 for breakfast, and \$18 for the boxed lunch). Attendance at these events 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 these events 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 Blue Origin and/or Club of the Future may accept an invitation for free attendance to these events. 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 sponsor, 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. Additionally, NASA employees in non-career positions who are required to sign an ethics pledge under Executive Order 13989 may only accept the invitations if they reimburse the hosts the fair market value of the events.

I remind attendees (other than non-career appointees subject to Executive Order 13989) 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 for each occasion and no more than \$50 from one source in a calendar year. Blue Origin will be giving out baseball caps valued at \$12.00 to during the events. They will also have a T-shirt available to purchase for \$45.00. An honor basket will be available for payment.

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

A handwritten signature in black ink, appearing to read "Adam F. Greenstone". The signature is fluid and cursive, with a prominent initial "A" and "G".

Adam F. Greenstone