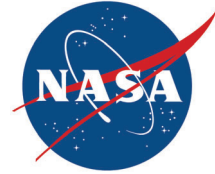


National Aeronautics and Space Administration

John F. Kennedy Space Center
Kennedy Space Center, FL 32899



July 28, 2021

Reply to Attn of: CC

TO: All NASA Employees

FROM: CC/Chief Counsel

SUBJECT: Determination Regarding Attendance by NASA Employees at the 2021 Innovators Gala of the Neil Armstrong Award of Excellence, August 4, 2021

The Astronaut Scholarship Foundation (ASF), a nonprofit organization under section 501(c)(3) of the Internal Revenue Code, will host the upcoming Neil Armstrong Award of Excellence on Saturday, August 14, 2021, at Hilton Orlando, in Orlando, Florida. More than 250 guests are expected to attend the gala, which consists of a reception, dinner, and program celebrating and awarding the 2021 Class of Astronaut Scholars, the innovators of tomorrow. Gala guests will include corporate and industry leaders, members of academia, military leaders, community leaders, space enthusiasts, and representatives of Federal, state, and local government. The value of the gala is approximately \$325 a person.

In accordance with 5 C.F.R. § 2635.204(g), Gifts of Free Attendance at Widely Attended Gatherings, I find these events meet the requirements of a *widely attended gathering*, and I further determine that there is an Agency interest in having NASA personnel attend these events because their participation will further Agency programs and operations. These events will allow NASA employees to honor and show support for a program celebrating current and former awardees of the Award of Excellence and accomplishments in academia. These events will also provide a forum for the attendees to disseminate information on NASA's ongoing activities and to discuss matters of interest to NASA with a diverse group of fellow attendees. Because of these benefits to NASA, and having considered the factors enumerated in 5 CFR § 2635.204(g)(4), I also find that the Agency's interest in NASA employees' attendance outweighs the concern that such employees may be, or may appear to be, improperly influenced in the performance of official duties.

Accordingly, NASA employees whose duties do not substantially affect any of the sponsors, including NASA employees in non-career positions who are required to sign the ethics pledge under Executive Order 13770, may accept an invitation for complimentary attendance at these events. NASA employees whose duties may substantially affect either of the sponsors, such

as by way of procurement duties or administration of Space Act agreements, should seek an individual determination regarding participation in these events from the Office of the General Counsel.

In addition, this is a fundraising event for ASF. NASA employees may not participate in the promotion, production, or presentation of the event and including serving as honorary chairperson, sitting at a head table during the event, and standing in a reception line.

DANIEL SHAVER Digitally signed by DANIEL
SHAVER
Date: 2021.07.28 12:55:59 -04'00'

Daniel P. Shaver

cc:
AA-A/Kelvin Manning