

National Aeronautics and Space Administration

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



October 21, 2021

Reply to Attn of: CC

TO: All NASA Employees

FROM: CC/Chief Counsel

SUBJECT: Determination Regarding Attendance by NASA Employees for the 2021 Astronaut Hall of Fame (AHO) Induction Ceremony and Gala, November 13, 2021

The Astronaut Scholarship Foundation (ASF), a nonprofit organization under section 501(c)(3) of the Internal Revenue Code, and DNC Parks & Resorts at KSC, Inc. (DNC) will host the upcoming United States Astronaut Hall of Fame Induction Ceremony on Saturday, November 13, 2021, at the Kennedy Space Center Visitor Complex (KSCVC). Approximately 1,000 people are expected to attend the ceremony, which is open to the public. A post-induction gala sponsored by ASF will be held at the KSCVC Apollo/Saturn V Center that evening. More than 200 guests are expected to attend the gala, which consists of a reception, dinner, and program featuring both prior and current inductees. Gala guests will include corporate and industry leaders, members of academia, aerospace contractors, military leaders, tourism and community leaders, space enthusiasts, and representatives of Federal, state, and local government. The value of the gala is approximately \$450 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 NASA astronauts and accomplishments in human spaceflight. 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 Kennedy Space Center 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 Chief Counsel.

Accordingly, I have determined that NASA invitees may accept their invitations for complimentary attendance at this event in accordance with the ethics rules. NASA attendees are reminded to exercise any COVID-19 precautions and obtain any administrative approvals related to COVID safety appropriate to their individual situation.

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 that ASF will be distributing some gifts at the end of the ceremony.

DANIEL SHAVER

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Date: 2021.10.21 15:45:03 -04'00'

Daniel P. Shaver
Agency Designee