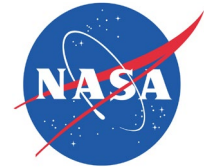


National Aeronautics and Space Administration

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



October 2, 2023

Reply to Attn of: General Law Practice Group

TO: Distribution

FROM: Alternate Designated Agency Ethics Official

SUBJECT: Determination Regarding Attendance by NASA employees at the Events Related to the 74th International Astronautical Congress (IAC) in Baku, Azerbaijan, October 1 – October 5, 2023

Representatives from NASA will attend events in conjunction with the International Astronautical Congress (IAC) in Baku, Azerbaijan. The IAC is intended to enable representatives from the space industry, space users, space policy makers, students, young professionals, researchers, and academicians to meet and exchange experiences and knowledge on space-related topics, and to develop world-wide cooperation programs. The IAC is the largest annual event organized by the International Astronautical Federation (IAF), a non-governmental, non-profit membership organization, based in Paris, France. The Congress is hosted by one of the IAF's member countries, which forms a local organizing committee.

NASA employees registered to attend the IAC in their official capacity, including non-career employees, may accept free attendance at the following events which are covered by their IAC registration under NASA's IAF membership, or would be authorized based on the exception for gifts and refreshments, and entertainment in foreign areas at 5 CFR § 2635.204(i) and/or the Foreign Gifts and Decorations Act: the IAF Opening Ceremony (10/2), Welcome Reception (10/2), VIP Luncheon (10/2) and VIP Gathering (10/2), IDEA 3G+ Diversity Luncheon (10/4), IAF Science and Academic Luncheon (10/5), and IAC Closing Gala (10/6). The following may be accepted under the Foreign Gifts and Decorations Act: The HOA Dinner by the President of Baku (10/2).

In addition, Voyager Space will host a reception on October 3, 2023, from 6:30-9:30 pm, at the Mugam Club & Restaurant, 9 Hagigat Rzayeva St. Baku, Azerbaijan. The reception will provide an opportunity for participants from industry, the international space community, and those attending the International Astronautical Congress to exchange views and information with other attendees. Approximately 100 people are expected to attend. The reception will include food and beverages valued at approximately \$35 per person. This event is by invitation only.

In accordance with 5 C.F.R. § 2635.204(g), and 14 C.F.R. § 1207.103, I find that the event listed above meet the definition of a “widely attended gathering.” I further find that there is an agency interest in having NASA employees attend the events, as they will have the opportunity to further agency programs and operations through the exchange of views and information with other attendees. Accordingly, subject to below, NASA employees who have been invited to attend may accept free attendance at these events.

However, NASA employees who are in non-career positions for which they are required to sign an ethics pledge under Executive Order 13989 may only attend the Voyager Space Reception if they reimburse the hosts the market value of the event to attend (including for a guest if accompanied). In addition, NASA Employees may accept free attendance at the events at which they are speaking.

NASA employees who have a significant role in any pending matter affecting Voyager, 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 an invitation of free attendance.

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). NASA invitees should not accept any gift items distributed at the Voyager reception that exceed the \$20 cap, though non-career NASA 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.

Adam F. Greenstone