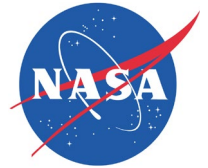


National Aeronautics and
Space Administration



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

February 23, 2024

Reply to Attn of: General Law Practice Group

TO: Distribution

FROM: Agency Counsel for Ethics

SUBJECT: Determination Regarding Attendance by NASA Employees at the events in conjunction with the 2024 Artemis Suppliers Conference on February 26-28, 2024

The Aerojet Rocketdyne, Boeing, Lockheed Martin, Jacobs, Bechtel, Northrop Grumman, Maxar, Blue Origin, SpaceX, Axiom, and Collins (the 11 Artemis primes”), will hold the 2024 Artemis Suppliers Conference on February 26 – 28, 2024 at the Grand Hyatt, 1000 H. St., NW, Washington, DC, from 5:00 p.m. to 7:00 p.m., on February 26; from 5:00 p.m. to 7:00 p.m., on February 27; and from 7:45 a.m. to 10:30 a.m., on February 28. Aerojet Rocketdyne, Boeing, Lockheed Martin, Jacobs, Bechtel, Northrop Grumman, and Maxar are jointly in control of the planning, organizing, and issuing invitations for this event. Additional lower-level sponsorships are being provided by Major Tool & Machine, RDI Engineering, Axient Corporation, Houston Precision Fasteners, Red Canyon Software, All Points Logistics, Honeywell, VACCO, and Ingersoll Machine Tools. The invitation includes all day coffee, waters, beverages.

Day 1:

Welcome Network Reception: \$30 per person for hors d’ oeuvres and alcoholic or non-alcoholic beverages.

Day 2:

Congressional Reception (in the Russell Senate Office Bldg.): \$28 per person for hors d’ oeuvres and alcoholic or non-alcoholic beverages.

The Conference Session: \$25 per person for a continental breakfast and \$25 per person for a buffet lunch. On Tuesday (Feb 27), from 7:45 a.m. to 2:30 p.m., the suppliers will hear from NASA and industry leadership on the State of Artemis program. Then the Suppliers head to the “Hill” for the remainder of the afternoon (does not involve NASA).

Day 3:

The Conference Session: \$25 per person, for a continental breakfast. On Wednesday (Feb 28), from 7:45 a.m. to 10:30 a.m., the suppliers will hear from NASA and industry

leadership on the State of Artemis program. Then the Suppliers head to the “Hill” for the remainder of the afternoons (does not involve NASA).

Approximately 660 people are expected to attend the event. Attendees will have a diversity of views or interests and will include members of Congress, Executive Office of the President staff, trade association representatives, personnel from other federal agencies, members of the legislative branch, and representatives from media, and industry. 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 sponsors 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 an ethics pledge under Executive Order 13989 may only attend if they reimburse the sponsors the value of the event.¹

Additionally, NASA employees who have a significant role in any pending matter affecting the interests of the sponsors, 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.

You are reminded of the \$20 gift exception at 5 C.F.R. § 2635.204(a), which provides that you 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 an Artemis branded scarf is available for each conference attendee as a giveaway, at check-in, the value is \$10.25 which NASA attendees other than NASA employees in non-career positions who have signed the ethics pledge may accept. An honor basket will be provided to reimburse for other gifts.

Adam F. Greenstone

¹ NASA Employees may accept free attendance to the events on the day they are speaking or participating in a panel discussion pursuant to 5 C.F.R. 2635.203(b)(8)(i).