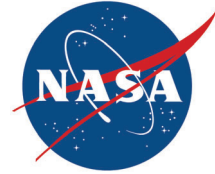


National Aeronautics and Space Administration

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



April 10, 2024

Reply to Attn of: CC

TO: Distribution

FROM: CC/Acting Chief Counsel

SUBJECT: Determination Regarding Attendance by NASA Employees at the 2024 U.S. Astronaut Hall of Fame Gala at Kennedy Space Center Visitor Center on June 1, 2024

On June 1, 2024, the Astronaut Scholarship Foundation (ASF), a nonprofit organization under section 501(c)(3) of the Internal Revenue Code, will host a reception and dinner at the Kennedy Space Center Visitor Center in Merritt Island, Florida. The event is celebrating the 2024 Astronaut Hall of Fame Inductees.

The hosts have invited over 400 persons to attend. Attendees will have a diversity of views or interests and will include corporate and industry executives and workers, teachers, space enthusiasts, government officials, NASA senior management, aerospace contractors, military leaders, tourism/community leaders, and NASA retirees. The estimated cost of the event, including all food and beverages, is \$450 per person. Valkyrie, Lockheed Martin, Northrop Grumman, ASRC Federal, Axient, Boeing, BRPH, Florida Tech, KBR, SpaceX, ULA, Copper Moon Coffee, and Deloitte are sponsors for the event. 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.

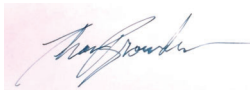
NASA employees who do not have a significant role in a matter affecting the interests of the sponsors may accept an invitation for free attendance for themselves and a guest to the event. In those circumstances, I find that the Agency's interest in attendance outweighs any concern that the individual may be, or may appear to be, improperly influenced in the performance of

his or her duties. However, NASA employees in non-career positions who are required to sign the ethics pledge under Executive Order 13989 may attend the event only if they reimburse the sponsors the value of the event.

NASA employees who have a significant role in any pending matter affecting the interests of Valkyrie, Lockheed Martin, Northrop Grumman, ASRC Federal, Axient, Boeing, BRPH, Florida Tech, KBR, SpaceX, ULA, Copper Moon Coffee, and Deloitte, 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 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). We understand that the sponsors will be offering a gift bag valued at approximately \$30. Employees may accept any item(s) that are under or at the \$20 gift exception rule. NASA employees in non-career positions who have signed the ethics pledge may only accept a gift item if they reimburse the sponsor.

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.



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Browder
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Thomas M. Browder III
Agency Designee