

National Aeronautics and
Space Administration
Ames Research Center
Moffett Field, CA 94035-1000



November 19, 2008

Reply to Attn of:

TO: Distribution

FROM: DL/Chief Counsel

SUBJECT: Determination Regarding the Attendance by NASA Employees at the Airship Ventures Dedication and Moffett Field 75th Anniversary, including VIP Reception

On November 21, 2008, two events are scheduled to happen at NASA Ames Research Center (ARC). First, Airship Ventures, in coordination with NASA ARC, plans to dedicate its new Zeppelin NT airship, which will be based at Moffett Field, California, part of NASA ARC. The name of the new airship will also be revealed. Airship Ventures is a California corporation organized to operate airships for tours and other events. Airship Ventures is currently leasing hangar space and office space at Moffett Field from NASA ARC under two enhanced use leases. Currently, there are only two other such airships operating in the world, in Germany and Japan. Using modern technology, the Zeppelin NT (for New Technology) airships are similar to airships from the first half of the 20th Century only in general appearance and the use of the surrounding air for buoyancy.

At the same time, NASA Ames Research Center will be celebrating the 75th Anniversary of Moffett Field. The Naval Air Station (NAS), Moffett Field was created in 1933 as a base for the Navy airship USS MACON. NASA Ames has been at Moffett Field since 1939 but took over the majority of the remainder of Moffett Field after the Navy closed the Naval Air Station in 1994 under the Base Closure Process.

The Zeppelin will be landing at Moffett Field at 10:00 a.m. The dedication ceremony will be held at the Moffett Field Flight Operations Building (Building 158) from 11:00 to 11:45 a.m. Colonel William Moffett III, the grandson of Admiral Moffett, will participate in the ceremony, among other dignitaries.

During the Dedication and Anniversary ceremony, Airship Ventures will host a VIP reception as part of the event. Airship Ventures has invited approximately 75 guests to attend the VIP reception as follows: Approximately 50 individuals including congressional members, state and local officials, officials of other federal agencies, industry leaders, and representatives of universities, media and the entertainment industry; and 25 officials from NASA. Invitees to the Airship Ventures VIP reception will be allowed access to a reception area located adjacent to NASA ARC Building 158, in which light food and refreshments will be served from 10:30 a.m. – 12 noon. There is no attendance fee for access to the VIP reception area. Further, it is noted that Airship Ventures may select and offer certain invitees short complimentary rides in the Zeppelin after the VIP event, which is not considered part of this widely attended gathering determination.

Apart from the fact that this marks the first time a true airship (as opposed to a blimp) has graced our skies in over seventy years, airships have strong potential for alternative or "green" aviation since they fly with low emissions and energy requirements. They have practical application for heavy load lifting and remote sensing, which are of significant interest to NASA and industry, and various law enforcement and security functions, of significant interest to other federal and state agencies.

NASA officials invited to attend the VIP reception at the Dedication and Anniversary reception event will have the opportunity to meet with representatives from local government, the media, universities and industry to discuss the development of "green" aviation research programs and projects which might be undertaken by NASA, as well as how these may enhance NASA's educational and outreach mission.

Accordingly, I find that the VIP reception sponsored by Airship Ventures November 21, 2008 event meets the requirements of a "widely attended gathering" as defined in 5 CFR §2635.204(g). I further determine that there is an Agency interest in having NASA personnel attend the VIP reception. Therefore, NASA employees whose duties do not substantially affect Airship Ventures may accept food and refreshments offered at the VIP reception.

NASA employees whose duties may substantially affect Airship Ventures, or a majority of all of their members, such as by way of procurement duties, should seek an individual determination pursuant to 5 CFR § 2635.204(g)(3)(i) regarding participation in this event from their local ethics counselor.

No NASA employees may accept free rides in the Zeppelin, as will be offered to some of the other VIP guests.

In the event that trinkets or other mementos are distributed at the event, attendees are reminded of the \$20 gift exception at 5 CFR § 2635.204(a) which provides that employees may accept gifts for themselves (and family members) valued at no more than \$20 per occasion. NASA invitees are reminded not to exceed the \$50 cap on gifts from any one prohibited source in a calendar year.



Thomas W. Berndt

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