

National Aeronautics and Space Administration

Headquarters

Washington, DC 20546-0001



July 3, 2012

Reply to Attn of: General Law Practice Group

TO: Distribution

FROM: Alternate Designated Agency Ethics Official

SUBJECT: Determination Regarding Attendance at Events Related to the Farnborough International Air Show, July 14-20, 2012

Representatives from NASA have been invited to attend a series of events in conjunction with the Farnborough Air Show in Farnborough, England. Aerospace and government leaders from around the world will attend this event celebrating technological innovation in aeronautics and space conquest. The events are as follows:

1. State of Alabama Reception, July 8, 2012: A number of public and private entities from Alabama are holding a reception from 7 p.m. to 9 p.m. at the Orangery at Kensington Palace. The hosts include the Chamber of Commerce of Huntsville/Madison County; City of Huntsville; Huntsville International Airport; and Madison County Commission. The hosts have had exclusive control over planning the event and the guest list. Additional sponsors include Aerojet, Bradley Arant Boult Cummings, and Teledyne Brown Engineering, Inc. Approximately 500 people have been invited, including representatives from other U.S. Government agencies, state governors and officials, members of Congress, and U.S. and international industry. Spouses are invited. The maximum benefit per employee is approximately \$51.

2. South Carolina Department of Commerce Reception, July 8, 2012: The South Carolina Department of Commerce, the South Carolina Governor, Nikki Haley, Michelin, and GKN Aerospace are hosting a reception at the Trinity House, London at 6 p.m. The South Carolina Department of Commerce had exclusive control over planning the event and the guest list. Approximately 168 people are expected to attend, including representatives from U.S. and international industry, state and local officials, congressional members and staff, NASA and other Federal agencies. The approximate cost per person is \$65.

3. The President's Representative Reception and Dinner, July 8, 2012: The Aerospace Industries Association (AIA), The Boeing Company, Celestica, Pratt & Whitney, and Raytheon Company are hosting a reception and dinner from 8 p.m. to 11 p.m. The purpose of this event is to honor President Obama's representative to the Farnborough Air Show, along with other senior government officials and dignitaries. Approximately 250 people are expected to attend, including representatives of AIA, U.S. state governors, congressional

members and staff, the U.S. Ambassador to the United Kingdom, NASA, other Federal agencies, the U.S. Chamber of Commerce, and U.S. military officers. The cost per person is approximately \$499. The NASA Administrator will be speaking at this event.

4. Canada Reception, July 9, 2012: The Government of Canada and the AIA of Canada will co-host a reception at the Canada House from 7 p.m. to 8 p.m. The event is also sponsored by Bombardier Aerospace though the hosts have retained control of the event planning and guest list. Approximately 1,000 people have been invited, including representatives from NASA, other Federal agencies, congressmen and staff, state and local government officials, industry, and academia. The approximate cost per person to attend the event is \$30.

5. Farnborough U.S. Pavilion Opening Ceremony and Reception, July 9, 2012: Lockheed Martin will hold a reception at the Farnborough Air Show in Hall 2 from 9:30 a.m. to 10:15 a.m. Approximately 400 people have been invited to attend, including representatives from NASA, other Federal agencies, congressional members and staff, state governors and senators, the aerospace industry, and members of the public. The cost of the reception per person is approximately \$5.

6. Farnborough Air Show Welcome Reception, July 9, 2012: Farnborough International LTD will be hosting the welcome reception for the Farnborough Air Show from 7 p.m. to 9 p.m. at the Natural History Museum. The event is sponsored by Accenture. The host retained all control over the planning and guest list for the event. Approximately 800-1000 people are invited, including representatives from industry, state and local government officials, foreign government Ministers, NASA and other Federal agencies. The cost of the reception per person is approximately £ 50 (\$78.50).

7. Farnborough Air Show VIP dinner, July 9, 2012: Farnborough International LTD will be hosting the welcome VIP dinner to the Farnborough Air Show at the Natural History Museum from 8:00 p.m. to 10 p.m. The event is sponsored by Accenture, though the Farnborough Air show as host retained all control over the planning and guest list for the event. Approximately 80 people are expected to attend, including industry representatives, foreign government Ministers, and Federal agencies. The approximate cost per person is £100 (\$156.93).

8. AIA U.S. Industry Reception, July 10, 2012: AIA, Woodward, Inc., Aeronautical Systems, General Atomics, Gulfstream, Hexadyne, South Carolina Department of Commerce, Embry-Riddle Aeronautical University, and The Marvin Group will host a reception for U.S. industry at 3 p.m. at the Farnborough Air Show. Approximately 300 people are expected to attend, including representatives of NASA, other Federal agencies, congressional members and staff, state and local officials, state governors, academia, and exhibitors at the show. The cost of the reception is approximately \$35 per person.

9. AIA/ATK Lunch, July 10, 2012: AIA is hosting and Alliant Techsystems (ATK) is sponsoring a luncheon at noon at the AIA Chalet at the Farnborough Air Show. Approximately 150 people, including NASA personnel, U.S. industry representatives, and

U.S. foreign trade representatives, have been invited and the cost per person is approximately \$45 per person. The NASA Administrator will be speaking at the event.

I find that these events meet the requirements of a widely attended gathering as defined in 5 C.F.R. § 2635.204(g). Because of NASA's interest in international collaboration and in the advancement and application of flight and related technologies, I find that there is an Agency interest in having NASA personnel attend. NASA employees whose duties do not substantially affect the sponsors may accept an invitation for free attendance at these events for themselves and their spouses or guests.

NASA employees, whose duties may substantially affect these co-sponsors, such as by way of procurement duties, should seek an individual determination pursuant to 5 C.F.R. § 2635.204(g)(3)(i) regarding participation in this event from their ethics counselor.

Moreover, NASA employees who are in non-career positions in which the President's Executive Order of January 21, 2009, requires signing an ethics pledge may accept free attendance at the State of Alabama Reception, South Carolina Department of Commerce Reception, the Farnborough Air Show Welcome Reception and the VIP Dinner, and the Canada House reception, but may only attend the other events if they reimburse the sponsors the cost of the receptions. Because he will be speaking at the President's Representative Reception and Dinner and the AIA/ATK Lunch, the NASA Administrator may accept free attendance for himself and his invited spouse.

Giveaways. 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. Other than for presentation items with little intrinsic value and no additional function, such as pins or patches with mission emblems, NASA invitees must reimburse the sponsors for the full value of any gift items exceeding these caps distributed by the sponsors. Moreover, non-career NASA employees subject to the ethics pledge should reimburse sponsors which are lobbying organizations for purposes of the ethics pledge the full value of any such gift items accepted even if these monetary caps are not exceeded.

Corporate Chalets. This determination does not include the chalets hosted by corporate sponsors.¹ The chalets provide corporations with space to receive visitors and view Air Show activities. NASA personnel should observe the exception to the gift rules that allows acceptance of gifts (including free refreshments and tangible gifts) with an aggregate value of \$20 or less per event from a single source, not to exceed \$50 per year from that source. Gifts to an employee's spouse or guest are treated as gifts to the employee for purposes of these gift limitations. NASA employees invited to and desiring to attend these associated corporate chalets may accept free refreshments if the fair market value of the food and drink consumed is less than \$20. If \$20 or more is consumed, the employee should personally provide that amount to the corporate host as reimbursement. Non-career NASA employees subject to the ethics pledge should reimburse sponsors which are registered lobbying organizations for

¹ Many U.S. Companies have reserved chalets, including Raytheon, ATK, Pratt & Whitney, Lockheed Martin, L-3 Communications, Boeing, ITT, United Technologies Company, and Rockwell Collins, among others.

purposes of the ethics pledge for the fair market value of any refreshments they consume at any chalets.²



Adam F. Greenstone

² The money may be placed in an “honor basket” if one is present.