

National Aeronautics and Space Administration



Headquarters
Washington, DC 20546-0001

July 11, 2016

Reply to Attn of: General Law Practice Group

TO: Distribution

FROM: Agency Counsel for Ethics

SUBJECT: Determination Regarding Attendance at Events Related to the Farnborough International Air Show 2016, July 10-16, 2016

Representatives from NASA have been invited to attend a series of events in conjunction with the Farnborough International Air Show 2016 at Farnborough, England. Aerospace and government leaders from around the world will gather at this event to discuss the technological innovations in aeronautics and space conquest. The following are events that NASA employees are attending:

1. Aerospace Alliance Reception and Boat Tour, July 10, 2016: Aerospace Alliance and the Secretaries of Commerce from the States of Alabama, Mississippi, Louisiana and Florida, are holding a reception and boat tour at 2:30 p.m. – 4:30 p.m. at the Savoy Pier, London. Approximately 400 people have been invited, including U.S. and State Government personnel, industry representatives, and academia. The approximate cost per person is \$42.00.

2. Chamber of Commerce Reception, July 10, 2016: Huntsville/Madison County Chamber of Commerce, Huntsville International Airport, Madison County Commission, Tennessee Valley Authority, University of Alabama, Aerojet Rocketdyne, AAL USA, Inc., General Atomics Aeronautical, Lockheed Martin Corp., Raytheon Company, United Launch Alliance, GE Aviation, Sierra Nevada Corp., Northrop Grumman and Panalpinia, are holding a reception at 6:00 p.m. – 8:00 p.m. at the Orangery at Kensington Palace, London. Approximately 450 people have been invited, including U.S. and State Government personnel, industry representatives, academia, and community and business leaders from the Huntsville region. The approximate cost per person is \$40.00.

3. AIA President's Reception, July 10, 2016: Aerospace Industries Association (AIA) and Boeing, Celestica, Lockheed Martin, and Raytheon Company, are holding a reception at 6:30 p.m. – 8:00 p.m. at Grosvenor House, JW Marriott, London. Approximately 350 people have been invited, including representatives from the European Space Agency, academia, other U.S. Government agencies, foreign government officials, and industry leaders. The approximate cost per person \$295.00.

4. Boeing Lunch, July 11, 2016: Boeing Company is hosting a “fair share” lunch at 12:00 noon at Farnborough. The prices range from \$5.00 to \$50.00, as indicated on the invitation. Each area has an honor box available for payment.

5. Welcome Reception, July 11, 2016: Farnborough International is holding a reception at 7:00 p.m. at the Science Museum in South Kensington, London. Approximately 1200 people have been invited, including members from U.S. Government agencies, and foreign government officials, representatives from industry, and members of the public. The approximate cost per person is 105 Euros (\$112.00).

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. 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 for themselves and a guest at the Aerospace Alliance Reception and Boat Tour on July 10, 2016, and the Welcome Reception at the Science Museum on July 11, 2016; but may only attend the AIA Reception on July 10, 2016; the Chamber of Commerce Reception on July 10, 2016; and Boeing Lunch on July 11, 2016 if they reimburse the value of the event. The NASA Administrator may accept free attendance for himself and an invited guest at the events at which he is speaking. The Administrator is speaking at the AIA Reception on July 10, 2016.

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 Hospitality Suites. This determination does not include the hospitality suites that may be hosted by corporate sponsors.¹ The suites 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

¹ Many U.S. Companies have reserved hotel suites, including Raytheon, ATK, Lockheed Martin, Boeing, and others.

from that source. NASA employees invited to and desiring to attend these associated corporate hospitality suites may accept free refreshments if the fair market value of the food and drink is less than \$20. If the fair market value is more than \$20, the employee should personally provide that amount to the corporate host as reimbursement. Non-career NASA employees subject to the ethics pledge should reimburse the sponsors which are registered lobbying organizations for purposes of the ethics pledge for the fair market value of any refreshments consumed at any hospitality suite.²



Adam F. Greenstone

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