

National Aeronautics and Space Administration

Headquarters
Washington, DC 20546-0001



September 23, 2016

Reply to Attn of: General Law Practice Group

TO: Distribution

FROM: Alternate Designated Agency Ethics Official

SUBJECT: Determination Regarding Attendance by NASA employees at the Events Related to the 67th International Astronautical Congress (IAC) in Guadalajara, Mexico, September 24 - 30, 2016

Representatives from NASA have been invited to attend a series of events in conjunction with the 67th International Astronautical Congress (IAC) in Guadalajara, Mexico. The IAC is intended to enable representatives from the space industry, space users, space policy makers, students, young professionals, researchers and academicians to meet and exchange experiences and knowledge on space-related topics, and to develop world-wide cooperation programs. The IAC is the largest annual event organized by the International Astronautical Federation (IAF), a non-governmental, non-profit membership organization, based in Paris, France. The Congress is hosted by one of the IAF's member countries, which forms a local organizing committee. The events are as follows:

1. Dinner for the Space Generation Congress (SGC), September 24, 2016: The Space Generation Advisory Council (SGAC), a foreign, 501(c)(3) non-profit under the umbrella of the United Nations, will host a dinner at the Hacienda La Providencia, Zapopan, Mexico, at 7:30 p.m. Lockheed Martin Space Systems is providing financial support for this dinner, although invitations are determined by SGAC. The dinner signifies the end of the Space Generation Congress, a conference focused on space topics taking place three days prior to the IAC. The NASA Administrator, Charles F. Bolden, Jr. will be the keynote speaker at the event. Approximately 250 people are expected to attend the dinner. Expected attendees include representatives from NASA, foreign government Agencies, foreign government officials, industry representatives, academia, students and young professionals, and members of the public. The dinner will include food and beverages valued at approximately \$50 per person.
2. NanoRacks and Blue Origin Breakfast, September 27, 2016: NanoRacks and Blue Origin will host a breakfast at the Hilton, Guadalajara at 7:00 a.m. NanoRacks is in control of the arrangements. The breakfast will provide discussion on space technology topics. Approximately 75 people are expected to attend, including NASA personnel and other Federal agencies, industry,

academia, students, media, and foreign nationals. The cost of the food and beverages is approximately \$30 per person.

3. 3G IDEA Diversity Luncheon, September 28, 2016: The International Astronautical Federation (IAF) will host a luncheon at the Expo Guadalajara, at 12:30 p.m. Lockheed Martin Space Systems and Agencia Esimcial Mexicana (AEM) are providing financial support for this lunch, although invitations are determined by IAF. The NASA Deputy Administrator, Dr. Dava Newman will be one of the keynote speakers. Approximately 500 people are expected to attend the lunch. Expected attendees include representatives from NASA, foreign government Agencies, foreign government officials, industry representatives, academia, students and young professionals, and members of the public. The dinner will include food and beverages valued at approximately \$28 per person (25 €).
4. IAC Launch Reception, September 28, 2016: Lockheed Martin and the Adelaide Local Organizing Committee will host a reception at the Expo Guadalajara, at 7:00 p.m. The reception will provide an opportunity for participants from the Heads of Ministry Science, Technology and Space, the Mexican Space Agency, industry, academia, and the media to discuss the launch of 2017 IAC in Adelaide, Australia. Approximately 250 people are expected to attend. The reception will include food and beverages valued at approximately \$45 per person.
5. IISL Awards Dinner 2016, September 29, 2016: International Institute of Space Law (IISL) will host a dinner at Palacio Municipal De Zapopan, Av Hidalgo 151, Zapopan at 7:00 p.m. The dinner will provide discussion on laws regarding space. Approximately 150 people are expected to attend, including NASA personnel and other Federal agencies, industry, academia, students, media and foreign legal professionals. The dinner will include food and beverages valued at approximately \$70 per person.

In accordance with 5 C.F.R. § 2635.204(g), and 14 C.F.R. § 1207.103, I find that the events listed above meet the definition of a “widely attended gathering.”

I further find that there is an agency interest in having NASA employees attend the events, as they will have the opportunity to further agency programs and operations through the exchange of views and information with other attendees. Accordingly, NASA employees who have been invited to attend may accept free attendance at the event. They may also accept invitations for accompanying spouses or guests.

However, NASA employees whose duties may substantially affect the sponsors listed above 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 the events from their local ethics counselor.

Moreover, NASA employees who are in non-career positions for which they are required to sign an ethics pledge under Executive Order 13490 may only attend the breakfast on September 27, 2016 which is sponsored by NanoRacks and Blue Origin and the IAC Launch

Reception on September 28, 2016 which is sponsored by Lockheed Martin and Adelaide Local Organizing Committee if they reimburse the sponsor for the cost of the events for themselves and any invited guests. They may, however, attend the Space Generation Dinner on September 24, the 3G IDEA Luncheon on September 28, and the IISL Dinner on September 29, for free.¹ In addition, the Administrator and Deputy Administrator may accept free attendance at the events at which they are speaking.

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). NASA invitees should not accept any gift items distributed at the reception, which exceed the \$20 cap, though non-career NASA employees may not accept gift items under the \$20 exception at events where ethics pledge restrictions apply as explained above.

Kathleen T. Spear

for Adam F. Greenstone

¹ In addition, invited employees, including non-career employees, may accept free attendance at the following events which are covered by the IAC registration fees or based on the exception for gifts and refreshments, and entertainment in foreign areas in 5 CFR §2635.204(i): Young Professionals events, VIP coffee, VIP lunches, and the Heads of Agency lunch.