

National Aeronautics and Space Administration

Headquarters

Washington, DC 20546-0001



June 12, 2015

General Law Practice Group

Reply to Attn of:

TO: Distribution

FROM: Alternate Designated Agency Ethics Official

SUBJECT: Determination Regarding Attendance at Events Related to the International Paris Air Show, June 2015

Representatives from NASA have been invited to attend a series of events in conjunction with the 2015 Paris Air Show at Paris, France. 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. ULA/Blue Origin, June 13, 2015: United Launch Alliance and Blue Origin are holding a reception at 5:00 p.m. at the W Hotel Bar Brule, Paris. Approximately 100 people have been invited, including Congressional members and their staff, other U.S. Government agencies, including Department of Defense, and industry leaders. The approximate cost per person is 56 Euros (\$63.00). A portable battery charger valued at \$9.50 will be given as a gift.
2. Chevaliers de Tastevin, June 13, 2015: Chevaliers de Tastevin is holding a dinner at 8:00 p.m. at Chateau du Clos de Vougeot. Approximately 500 people have been invited, including U.S. Government personnel, academia, industry representatives, current and former Astronauts, NASA personnel, and personnel from other Federal agencies. The approximate cost per person is 220 Euros (\$240.00).
3. Paris Tea Reception, June 14, 2015: Orbital ATK is holding a reception at 4:00 p.m. at Cercle de l'Union Interalliee Hotel in Paris. Approximately 300 people have been invited, including representatives from Congress and U.S. Government agencies, French and other Foreign Government officials, industry representatives, and state governors. The approximate cost per person is 66 Euros (\$70.00). A commemorative passport holder will be offered as a gift, the value is less than \$10.00. A commemorative print will be available for purchase (\$50.00).
4. Chamber of Commerce of Huntsville/Madison County, June 14, 2015: Chamber of Commerce of Huntsville/Madison County, together with City of Huntsville, Huntsville International Airport, Madison County Commission, Tennessee Valley Authority, University of Alabama, Huntsville, are holding a reception at 5:30 p.m. at The Eiffel Tower.

Approximately 425 people have been invited, including members of Congress and their staff, industry representatives, NASA personnel, other Federal agencies, academia, State and local officials and community leaders. The approximate cost per person is \$40.00.

5. AIA Le Grand Reception Intercontinental, June 14, 2015: Aerospace Industries Association, together with Boeing Company, Lockheed Martin, Raytheon Company and General Electric Aviation, are holding a reception at 7:00 p.m. at Le Grand Intercontinental Paris. Approximately 300 people have been invited, including representatives from the U.S. Government and State Officials, other Federal agencies, academia, industry representatives, and foreign delegations to the Air Show. The approximate cost per person is \$285.

6. AIA, June 15, 2015: Aerospace Industries Association, together with Boeing Company, Lockheed Martin, Raytheon Company and General Electric Aviation, are holding a luncheon at 12:00 noon at the AIA Operations Center (Chalet 503), Le Bourget, Paris Air Show. Approximately 20 people have been invited, including a broad mix of industry representatives and NASA personnel. The approximate cost per person is \$20.00.

7. Airbus Group, Inc. Reception, June 15, 2015: Airbus Group is holding a reception at 7:30 p.m. at the Rodin Museum in Paris. Approximately 750 people are invited, including members of Congress, Ambassadors, public authorities, personnel from NASA and other Federal agencies, national and international industry, and members of the public. The approximate cost per person is 100 Euros (\$110.00).

8. AIA Lunch/Contest, June 18, 2015: Aerospace Industries Association and Raytheon Company are holding a lunch at the AIA Chalet, Paris. Approximately 150 people are attending the lunch and approximately 30 will stay for the International Rocketry Challenge contest, including members of the U.S. Aircrew, AIA staff, students, coaches, mentors, and industry representatives. The approximate cost per person is \$25.00.

9. AIA Lunch/Launch, June 19, 2015: Aerospace Industries Association and Raytheon Company are holding a lunch at Le Bourget, Paris. Approximately 15 people (including AIA members, Members of the Team America Rocketry Challenge and government employees) are attending the lunch and 100 are attending the launch viewing, including representatives from the industry, members from the United Kingdom, France and U.S. Embassies, Congressional members, students, parents, and the media. The approximately cost per person is \$45.00.

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.

NASA employees will also attend the following event:

10. American Chamber of Commerce of Italy Lunch, June 17, 2015: The American Chamber of Commerce of Italy and Phase Motion Control Spa are holding a lunch at the USA Pavilion at Expo Milano, Italy. Approximately 20 people are attending, including industry representatives from Italian and the United States industry, foreign academia, and other U.S. Government agencies. The approximate cost per person is 100 Euros (\$110.00).

Attendance at the American Chamber of Commerce of Italy Lunch on June 17, 2015 may be accepted pursuant to the exception for meals, refreshment, and entertainment in foreign areas in 5 C.F.R. § 2635.204(i). We have determined that the market value in the foreign area of the food, refreshments or entertainment provided at the event does not exceed the daily per diem rate for Milan as specified by the U.S. Department of State; there is participation in the meeting or event by non-U.S. citizens or by representatives of foreign governments or other foreign entities; and the NASA employees are attending as part of their official duties to represent the United States and further the programs and operations of NASA.

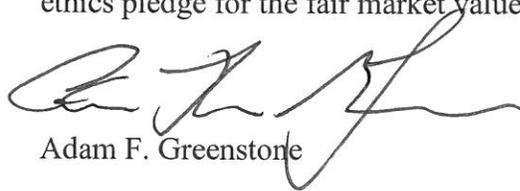
Moreover, NASA employees who are in non-career positions in which the President's Executive Order of January 21, 2009, requires signing an ethics pledge may accept free attendance at the Chevaliers de Tastevin Dinner, the American Chamber of Commerce Italy, and the State of Alabama events, but may only attend the other events if they reimburse the sponsors the cost of the receptions. Because he will be speaking at the AIA Le Grand Reception and the AIA Operations Center 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. 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 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

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

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 chalets.²



Adam F. Greenstone

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