



# Office of the General Counsel Ethics Training for New Employees

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# Ethics Training for New Employees

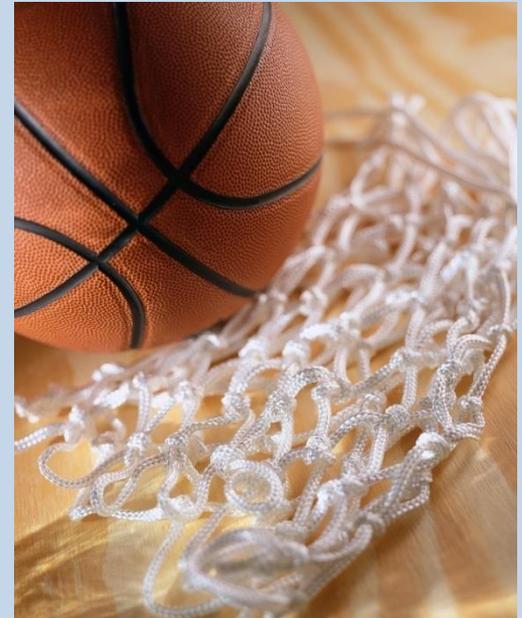
The Office of the General Counsel (OGC) provides legal support to the Agency leadership, Mission Directorate offices, and all Headquarters activities. There are four groups within the OGC:

1. Commercial and Intellectual Property (patent and copyright, Space-Act agreements)
2. Contract and Procurement Law (up to 90% of NASA's budget)
3. International Law (ISS, treaties, Export Control)
4. General Law (Employment, Ethics, Fiscal, Administrative, FOIA, Environmental, Legislation)

# Question #1

You have a program review meeting with Spacely Sprockets, a NASA contractor. After the meeting, a Spacely employee offers you a ticket (with a face value of \$95) to see a Washington Wizards' game.

May you accept the free ticket?



# Gifts from Outside Sources

Start by asking:

Would a reasonable person with knowledge of the relevant facts question your integrity or impartiality in accepting the gift?

Some considerations:

- High market value of gift
- Timing of gift (donor seeking official action?)
- Donor has interests that could be affected by your official duties
- Donor would get disproportionate access

# Gifts from Outside Sources

You may not accept gifts given:

1. By a prohibited source (such as a NASA contractor) or
2. Due to your official position

The general rule is subject to some **exceptions.**

# Is the Ticket a Gift?

- A “GIFT” may be any item of value:  
(Cash, entertainment, travel, loan, discount)
- NOT GIFTS:
  - Snacks (coffee/donuts)
  - Anything for which fair market value is/was paid
  - Anything paid for by the government
  - Any benefits/prizes open to the public or all government employees

# Is There a Gift Exception?

- Gifts valued at **\$20** or under with annual max of \$50 from each **prohibited source (not solicited!)**
- Gifts based on a personal relationship
- Awards and honorary degrees
- Widely attended gatherings (needs advance written determination by OGC)

# May You Accept the Ticket?

No. The ticket is a gift and it exceeds the \$20 gift exception.

*If you accept the ticket, you must reimburse Spacely Sprockets for the face value of the ticket. Then, the ticket would not be a gift.*

**Note that it is never inappropriate and is frequently prudent to decline a gift.**

# Question #2

- A California university invites you to speak at a one-day symposium on “Space Travel.”
- The university offers to pay for speakers’ travel expenses (including plane, food, and symposium fee for the entire day) and a \$500 honoraria to all speakers.
- Can you accept?

# Travel Expenses from Non-Federal Sources

U.S. law allows NASA (not you) to accept:

- Free attendance, transportation, lodging, and meals that are directly connected to teaching, speaking, or writing which “relates to” an employee’s official duties.
- You must follow NASA’s internal procedures for acceptance before the trip (submit NF 1167 for supervisory and legal approval).

# What Expenses can You Accept for the Speech?

NASA may accept payment for your:

- Transportation
- Hotel
- Food at the symposium
- Registration fee for the symposium
  
- However, you may **not** accept the \$500 speaker honoraria (because you are speaking as part of your official duties.)

# Question #3

Your supervisor's birthday is next week. Can you give her a crystal vase worth \$50 as a birthday present?



# Gifts Between Employees

You may not give a gift to an official superior (such as your boss).

(You may give her a birthday card and you and others can bring in food to share.)

# Gifts Between Employees

## Exceptions

On an occasional basis, you may give or receive:

- Gifts less than \$10
- Items such as food to be shared in the office
- Personal hospitality

You may give gifts appropriate to the occasion:

- Infrequent, special events (birth, marriage)
- Retirement or transfer of supervisor
  
- All contributions must be **voluntary!**

# Question #4

You have been assigned the task of reviewing proposals for a new IT support contract. One of the proposals is from Stowing Aerospace. You realize that your spouse owns \$25,000 in Stowing stock in a 401(k).

Do you have a conflict of interest?



# Do You Have a Conflict of Interest?

**Yes.** You have direct responsibility to review the proposals.

- Your wife's financial interest in Stowing through stock ownership in her 401(k) is imputed to you.
- Therefore, you would have a criminal conflict of interest if you participate in the proposal review.

# What Are Your Options?

You may be able to:

- Disqualify (recuse) yourself from participating in this procurement;
- Sell the conflicting interest (stock) in Stowing;  
or
- Seek a waiver to allow you to continue to work on this project. (See an attorney.)

# Financial Disclosure

You may have to file one of these reports:

- **Confidential Financial Disclosure Report (OGE 450)** if you are a GS employee and your supervisor designates you as a filer.
- **Public Financial Disclosure Report (OGE 278)** if you are a senior employee such as an SES, SL, ST, NEX or political appointee.

# Financial Disclosure

- If you are designated as a filer, you must file your form **electronically** within **first 30 days**.
- Thereafter, you must file a report annually:
  - Confidential filers—by February 15
  - Public filers—by May 15
- All financial disclosure filers must take **annual training** by December 31.

# Question #5

You are a new NASA employee. Right before you came to NASA, you worked for Flight Ventures, a NASA contractor, but you no longer have any financial ties to the company. Your new boss at NASA asks you to work on the Flight contract.

Can you do it?

# Impartiality

- Under the standards of conduct regulations, you may not work on matters involving your former employer for **one year** to avoid impartiality concerns.
- Note that OGC may be able to draft an impartiality determination to allow you to participate. (See an attorney in OGC.)

# Question #6

- You would like to earn additional income by taking a part-time job in the evening. Airey Aerospace, a NASA contractor, has an opening. May you take the job?



# Can You Take the Job?

Yes, if:

- Your part-time job is not connected with any work that Airey performs for NASA.
- You comply with NASA's regulations and obtain approval from your supervisor & OGC.
- You use your own time & resources.
- You don't use your official NASA title/position.

# Question #7

Polly Politician, an old friend of yours, asks you to send your NASA coworkers e-mails at work talking about her campaign for the Senate and soliciting campaign contributions.

Can you send political e-mails at work?



# Hatch Act ([www.osc.gov](http://www.osc.gov))



Prohibits federal employees from engaging in partisan political activity:

- While on official duty
- In any federal room or building
- While wearing a uniform or official insignia
- Using any government vehicle
  
- Plus, you may **not** solicit, accept, or receive political contributions (at any time).

# Avoid Misuse of Position

## DON'T:

- Use public office for private gain.
- Imply government (NASA) endorsement.
- Use non-public information to further your private interests.
- Use government property for other than authorized use (phone, e-mail, credit card).
- Use official time for other than official duties.

# Ethics Officials at NASA

## **DESIGNATED AGENCY ETHICS OFFICIAL (DAEO)**

Sumara M. Thompson-King (General Counsel & DAEO)

Adam Greenstone (Alternate DAEO)

**ETHICS TEAM:** Adam Greenstone, Rebecca Gilchrist, Katie Spear, Griffin Farris, Amanda Koenig-Fuisz, Donna Nelson

## **FOR ETHICS QUESTIONS at HEADQUARTERS;**

call (202) 358-2465 or e-mail [ethicsteam@hq.nasa.gov](mailto:ethicsteam@hq.nasa.gov).

# Other Legal Issues

As you begin your employment at NASA we would like to highlight a few other legal issues that you may encounter.

- a. Spending government funds (food, conferences, purchase card issues, souvenirs)
- b. Federal records (Privacy Act, FOIA, and disposition of records)

Congratulations!



**You Have  
Completed the  
Ethics Orientation!**