



DEPARTMENT OF THE AIR FORCE
WASHINGTON, DC

Office of the General Counsel

13 October 2011

MEMORANDUM FOR ALL AIR FORCE ATTENDEES

FROM: SAF/GCA

SUBJECT: Widely Attended Gathering Determination: Air Force Association Air Force Ball

We have been asked whether Air Force senior leaders may accept a gift of free attendance to the Air Force Ball hosted by the Air Force Association (AFA) in Los Angeles, CA on November 18, 2011. Based upon our review, we determine that this event qualifies as a widely attended gathering (WAG), and if their supervisors determine there is an Air Force interest in their attendance, invitees may accept the gift of free attendance for and attend in their personal capacities.

The Air Force Association (AFA) is an independent, nonprofit, civilian education organization promoting public understanding of aerospace power and the pivotal role it plays in the security of the nation. AFA conducts national symposia and disseminates information through outreach programs. It sponsors professional development seminars and recognizes excellence in the education and aerospace fields through national awards programs. The purpose of the Air Force Ball is to educate the public about the contributions, requirements, and challenges facing the U.S. Air Force in global warfare, especially in space and cyberspace. At the Ball, the AFA will present its Thomas D. White Space Award to Lt General Larry James in recognition for his outstanding contributions to space. Approximately 700 people are expected to attend, including senior military leaders, private industry representatives, and representatives and members of the AFA. Cost per person for refreshments is approximately \$235.00. No other tangible gifts are being offered to attendees.


The Joint Ethics Regulation ordinarily prohibits Air Force personnel from accepting gifts given because of their official positions. However, the WAG exception provides that when determinations have been made that an Air Force employee's attendance at an event will further Air Force interests and that a diverse group of people will attend, the offer of "free attendance" may be accepted and personnel may attend in their personal capacity. "Free attendance" includes the provision of food, refreshments, and entertainment that is furnished by the AFA to all attendees as an integral part of the event. "Free attendance," as defined in 5 C.F.R. 2635.204(g)(4), does not include transportation costs or free lodging.

Based upon the information provided, we determine that the Air Force Ball hosted by the AFA qualifies as a WAG under 5 C.F.R. 2635.204(g)(2). Invitees should seek supervisor approval of their attendance where appropriate. Where a supervisor finds that the Department's interest in having the invitee attend this event outweighs concerns that acceptance of the gift may

appear to improperly influence the individual in the performance of his/her official duties, and that attendance at this event will further a *bona fide* agency interest, he/she may permit an individual whose duties do not substantially affect the AFA to accept free attendance for himself/herself and a guest, where such invitation has been extended. If the invitee takes a guest to this event and if the invitee is required to file either a SF 278 or an OGE 450 he/she must include the full value of both participants (\$470.00) on his/her next SF 278 or OGE 450.

Department of Air Force employees whose duties may substantially affect the AFA should seek an individual determination pursuant to 5 C.F.R. 2635.204(g)(3)(i) regarding this event. The AFA is not a registered lobbying organization with Congress. The Ethics Pledge is therefore not a bar to acceptance.

Please feel free to contact Mr. Craig Mullen at 614-0496 if you have any questions.



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