



INDIANA DEPARTMENT OF TRANSPORTATION

100 North Senate Avenue
Room N725

Phone: 317 232-5095

Eric Holcomb, Governor

Michael J. Smith, Commissioner

November 6, 2024

FILED

Katherine Noel, Chair
Indiana State Ethics Commission
315 West Ohio Street, Room 104
Indianapolis, Indiana 46202

NOV -6 2024

INDIANA STATE
ETHICS COMMISSION

RE: Waiver of Application of 42 IAC 1-5-1 (the "Gift Rule") to receive an event registration to be received by an INDOT Employee for the Purdue University AI Summit: The AI Imperative: Uniting Education, Business and Government ("AI Summit") on November 14, 2024.

Commissioner Michael J. Smith, the appointing authority of the Indiana State Department of Transportation ("INDOT"), has designated authority to me as the agency's ethics officer to waive application of the Gift Rule in individual cases when consistent with the public interest. I am hereby waiving application of 42 IAC 1-5-1 (a) in relation to INDOT employee, Kate Shelby, in relation to her attendance at the Purdue University AI Summit on November 14, 2024. The aforementioned INDOT employees' attendance is being sponsored by INDOT vendor, Google, Inc. The attendee will benefit from attendance for the reasons provided below.

The AI Summit will be held at the Hyatt Regency Indianapolis, One South Capitol Avenue, Indianapolis, IN 46204. Kate Shelby is not required to pay to attend the event, but rather has been offered to utilize a compensation code to be able to register for this event for free by Google, Inc., a contractor that currently does business with INDOT, and one of the conference's sponsor, at a total cost of three hundred and fifty dollars (\$350.00). No other items of value are being given to this employee, and she has been instructed not to accept any item offered.

INDOT personnel covered by this waiver were instructed not to accept any other item of value from any other person or entity if that person or entity may have a business relationship with INDOT or may seek to influence an action by one or more INDOT personnel in his or her official capacity. INDOT personnel are regularly informed that the safest course of action at any industry event is to assume that anyone in attendance from the private sector might have a business relationship with INDOT.

Google has a current business interest with INDOT. INDOT is partnering with Purdue University and Google to complete the State of Indiana's first Gemini AI pilot. This conference is the appropriate event to discuss the pilot project and its future and to hear about other work that Purdue and Google are doing in the AI space.

The AI Summit is primarily a networking event and to be able to have leaders in the AI space discuss other work that Purdue and Google are doing in the AI space. It is further an opportunity to give companies the ability to have thoughtful discussions regarding artificial intelligence, receive additional education about artificial intelligence, and bring together thought leaders of today and

tomorrow to consider the new technology in today's society. It also allows companies to hear from Google leaders and discover their work within AI that is impacting all industries.

As such, the participation of Kate Shelby, who is INDOT's Chief Legal Counsel, and who is also responsible for INDOT's Information Technology, IT Operations, and Digital Transformation areas, is hugely beneficial to ensure that INDOT has representation at the event, to strengthen relationships with critical stakeholders, connect with industry leaders, and to utilize the opportunity to gain additional knowledge and answer questions concerning INDOT's Gemini AI pilot. A waiver of the gift rule to allow Kate Shelby to accept event registration worth three hundred and fifty dollars (\$350.00) is therefore very much in the public interest under the circumstances set forth above.

Therefore, it is my opinion that it is consistent with the public interest for Kate Shelby, to attend the Purdue University AI Summit on November 14, 2024, and to receive the item of value specified above, even though payment for this item is being made by Google, Inc., an entity that has a business relationship with INDOT. Based on this finding, I am hereby waiving application of 42 IAC 1-5-1 (a) to allow INDOT employee, Kate Shelby, to accept registration fees for the Purdue University AI Summit pursuant to the details set forth herein.

If you need additional information or have any questions about this letter, please feel free to contact me at (317) 719-6624 or msteele@indot.in.gov.

Sincerely,

Michele Steele

Michele Steele
Ethics Officer
Indiana Department of Transportation