

National Aeronautics and Space Administration

Headquarters

Washington, DC 20546-0001



December 5, 2012

General Law Practice Group

Reply to Attn of:

TO: Distribution

FROM: Alternate Designated Agency Ethics Official

SUBJECT: Determination Regarding Attendance by NASA Attendees at the Entertainment Software Association 's (ESA) Holiday Reception on December 6, 2012

On December 6, 2012, the Entertainment Software Association (ESA), a non-profit organization under section 501(c)(6) of the Internal Revenue Code, will host its holiday reception. The event will take place at the Rock & Roll Hotel in Washington, D.C. at 7 PM. Approximately 2,500 people are expected to attend. The estimated cost of the event including all food and beverages is \$24.00 per person.

The event will be attended by academia, the legislative branch, and other Federal agencies, and the media. I find that this event meets the requirements of a "widely attended gathering" as defined in 5 C.F.R. § 2635.204(g). I further determine that there is an Agency interest in having NASA personnel attend the event because it will further Agency programs or operations. Attendance at the event will provide NASA attendees with the opportunity to exchange information regarding various NASA programs.

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 sponsor], 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 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 if they reimburse the sponsors the value of the refreshments consumed by themselves and accompanying guests.

A handwritten signature in black ink, appearing to read "Adam F. Greenstone".

Adam F. Greenstone