



November 14, 2011

Richard M. Thomas
Associate General Counsel
Office of Government Ethics
1201 New York Avenue, NW
Suite 500
Washington, DC 20005-3917

**TELECOMMUNICATIONS
INDUSTRY ASSOCIATION**

HEADQUARTERS

2500 Wilson Boulevard
Suite 300
Arlington, VA 22201-3834
+1.703.907.7700

D.C. OFFICE

10 G Street, N.E., Suite
550 Washington, DC 20002
+1.202.346.3240 MAIN
+1.202.346.3241 FAX

tiaonline.org

Re: Standards of Ethical Conduct for Employees of the Executive Branch;
Proposed Amendments Limiting Gifts From Registered Lobbyists and
Lobbying Organizations. RIN 3209-AA04. Proposed Amendments to 5
CFR Part 2635. 76 FR 56330 (September 13, 2011).

RIN 3209-AA04

Dear Mr. Thomas:

The Telecommunications Industry Association (“TIA”) appreciates the opportunity to comment on the Office of Government Ethics’ proposed rule RIN 3209-AA04, which restricts all executive branch employees from using certain exceptions under federal rules to accept gifts from registered federal lobbyists and lobbying organizations – including invitations to widely attended gatherings.

TIA represents the manufacturers and suppliers of global communications networks. Since 1924, TIA has been enhancing the business environment for the information and communications technology (ICT) industry through standards development, policy advocacy, business opportunities, market intelligence, and networking events. TIA hosts several annual events during which foundational information from policy leaders and technology standards committees is shared, forming a breadth of knowledge that goes beyond technology and business to the regulations and standards that help shape innovation.

As such, OGE’s proposed rules would have a significant negative effect on both TIA and relevant policymakers. In particular, OGE’s proposal to prohibit Executive Branch employees from participating in substantive widely attended gatherings sponsored by trade associations and other lobbying organizations would impair the important two-way flow of information between the ICT industry and executive branch officials. Moreover, under OGE’s proposed rule, the general prohibition on attending widely attended gatherings sponsored by lobbying organizations would not apply to federal employees who attend educational or professional development activities sponsored by nonprofit professional associations, scientific organizations, and learned societies.

We join with others in urging that the OGE take the position that government employees should be able to attend educational and professional development events sponsored by trade and business associations, just as they are able to attend events sponsored by other types of nonprofit organizations. Federal officials attend trade association events to advise and educate industry stakeholders about government oversight and regulation as well as to learn about the industry the association represents. Such attendance is as valuable a benefit to the government as it is to the regulated community.

Like other “widely attended” gatherings, in other industries and fields, focused on educating and informing, TIA’s events provide opportunities for exchanges between regulators and the regulated

community. These events expose government participants to both instructive affirmation and constructive criticism of agency policies and activities. And these events provide invaluable opportunities for government attendees to explain, to persuade, and to engender understanding of and support for these agency policies and activities. The proposed restrictions on sponsorship of such informational “widely attended gatherings” therefore represent a significant impediment to a well-functioning regulatory process for which the rulemaking offers no sufficient justification.

For the reasons set forth above, TIA strongly opposes OGE’s proposal to amend the regulations as described above. TIA welcomes the opportunity to respond to any questions from OGE in connection with these comments and is willing to provide further information upon request.

Respectfully submitted,

TELECOMMUNICATIONS INDUSTRY ASSOCIATION

By: /s/ Grant Seiffert _____

Grant Seiffert
President

Danielle Coffey
Vice President, Government Affairs

Dileep Srihari
Director, Legislative and Government Affairs

TELECOMMUNICATIONS INDUSTRY ASSOCIATION
10 G Street N.E.
Suite 550
Washington, D.C. 20002
(202) 346-3240