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Mr. Don Fox
Acting Director and General Counsel
Office of Government Ethics
1201 New York Avenue, NW
Suite 500
Washington, DC 20005-3917

November 18, 2011

**Re: RIN 3209-AA04
[Proposed Amendments Limiting Gifts from Registered Lobbyists and Lobbying Organizations]**

Dear Mr. Fox:

The National Defense Industrial Association (NDIA) thanks you for the opportunity to comment on proposed rule RIN 3209-AA04, which restricts all executive branch employees of the Federal Government from using certain exceptions to accept gifts from registered federal lobbyists and lobbying organizations, including invitations to widely attended gatherings ("WAGs").

NDIA is a section 501(c)(3) non-profit educational association that is America's leading defense Industry association promoting national security by providing a legal and ethical forum for the exchange of information between industry and government on national security issues. Our members foster the development of the most innovative and superior equipment, training and support for our warfighters and first responders through our divisions, local chapters, affiliated associations and events. NDIA currently represents over 1,768 corporate members and approximately 93,286 individual members, of which 26,710 are government employees.

NDIA fully supports OGE's mission to promote high ethical standards for executive branch employees, and is generally accepting of OGE's intention to limit some of the exceptions that may have been used on occasion to permit certain gifts, such as invites to holiday parties or other social events. NDIA also supports OGE's acknowledgement that certain widely attended gatherings can serve important government purposes. OGE justly asserts in its proposed rule that federal employees, including political appointees, should be able to accept offers of free attendance to "substantive events that provide a legitimate educational or professional development benefit that furthers the interests of an agency." This is precisely the core mission of NDIA.

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Although OGE correctly points to the valuable educational and professional development opportunities at these types of programs, the proposed rule leaves trade associations, such as section 501(c)(6) associations, out of the proposed limited exclusion.

NDIA believes that setting policies that restrict knowledge-sharing between the government and trade associations is counterproductive to the administration's stated aspirations to work in partnership with the business community to create jobs and grow the economy.

Trade associations are among the many types of nonprofit organizations that sponsor programs in consonance with government interests and with Federal employees' professional development aspirations. They regularly hold seminars, conferences, trade shows and other programs that forecast industry performance and spotlight concerns. Government employees tasked with promulgating regulations most assuredly benefit from attending programs where they can learn about latest developments, see new product demonstrations, and understand how industries might be impacted by rulemaking. At the same time, trade association members have the opportunity to learn more about agencies' interests and processes and are better prepared to comply with federal regulations.

Educational and professional development programs conducted by trade associations are virtually indistinguishable from those conducted by the other types of organizations listed in the proposed rule. They offer the same benefits to government employees and should qualify for the same exclusion.

NDIA urges OGE to revise its proposed exception for gifts to allow federal employees to attend substantive educational programs and events held by trade associations, for the same reasons that this exception has been extended to the other types of organizations listed in the proposed rule.

Thank you in advance for your consideration and if you have any questions, please contact Pete Steffes, Vice President, Government Policy at (703) 247 9470 or psteffes@ndia.org.

Sincerely and respectfully,

A handwritten signature in black ink that reads "Lawrence P. Farrell, Jr." with a stylized flourish at the end.

Lawrence P. Farrell, Jr.
Lt. General USAF (Ret)
President and CEO