

THE AMERICAS

U.S.: Beware of Lobbyists Bearing Tickets

By ZACHARY FRYER-BIGGS

The U.S. Office of Government Ethics (OGE) is proposing a rule that could stop military personnel from attending a variety of defense industry events, a move industry figures said would further demonize contractors and hamper their cooperation with the Pentagon.

"Changing these rules to make lobbyists and organizations boogymen doesn't help," said D. Mark Renaud, a Washington attorney who specializes in lobbying and ethics law. "We don't feel like there's any problem there, first of all, and second, that these remedies really stifle the interaction of public and private that is necessary to have the full information for a proper functioning government."

The proposed rule, which would affect gift-giving by lobbyists and lobbying organizations, would not allow the use of the widely attended gatherings (WAG) exception, which permits military and other government personnel to accept free tickets to paid get-togethers that are "widely attended," when those tickets are offered by lobbyists.

The rule would still allow exceptions for tickets offered by non-profit professional associations, scientific organizations and learned societies. The WAG exception has faced increasing scrutiny since 2007, when the OGE issued a memorandum citing incorrect applications of the exception.

The proposed rule would also restrict the social invitations exception, as well as creating other gift restrictions. Because many defense companies and organizations engage in lobbying, and because of the vague wording used in the proposed rule, experts believe that the restrictions would likely include many defense industry events.

At stake is more than just free drinks and rubbery chicken, a defense industry executive said.

"How do you know where they're going, what they might need in the future, if you can't talk to them?" the executive said.

The executive also indicated that many in the industry are offended by the suggestion of the rule: "Frankly, on a personal level, a lot of us find this confusing and a bit insulting. We try very hard to abide by the rules; we keep a very close eye to make sure that we do."

Steve Grundman, an industry consultant, said he does not see the proposed rule as a large impediment to military-industry relations.

"It's not like compliance with this would be all that burdensome," he said. "On face value, I wasn't alarmed by this, I certainly didn't read any further into this than the

Obama administration applying ethics reform."

In its written explanation of the rule, published in the Federal Register, the OGE said that the new rule is needed because of the "cultivation of

familiarity" by lobbyists at events. Without citing examples, the explanation said the OGE had observed some abuse of the WAG exception.

The prospect of losing face-to-face contact is worrisome, but the larger

issue is the perception that defense contractors should not be trusted, Aerospace Industries Association Vice President Fred Downey said. "It might unfortunately reinforce two erroneous assumptions out

there, especially among those who execute the contracts in the military: that you can't trust the military-industrial complex and that you can be successful if you hold them at arm's length," he said.

The proposed rule is open for comment until Nov. 14.

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Agenda Highlights

Day One: October 27, 2011

0805 – 0850	Keynote Speaker – Intelligence Policy & Acquisition Choices Rep. Mike Rogers (R-Michigan)
0850 – 0935	Speaker Session: Smart Phones
1000 – 1115	Panel Session: Allied Information Sharing
1115 – 1200	Speaker Session: Partner Engagement
1315 – 1400	Keynote Speaker – A Look Ahead & Solving the ISR Crunch in Afghanistan Lt. Gen. John C. Koziol, USAF
1400 – 1515	Panel Session: Understanding Human Geography
1515 – 1600	Keynote Speaker – Maximum Value Intelligence: Meeting Global Challenges Mr. Kevin P. Meiners
1600 – 1800	Conference Reception in Exhibit Hall

Day Two: October 28, 2011

0830 – 0915	Keynote Speaker – State of Cyber Security Plan
0930 – 1045	Panel Session: Cyber Security
1045 – 1130	Keynote Speaker – Intelligence Policy & Acquisition Choices Rep. C. A. Dutch Ruppertsberger (D-Maryland)
1130 – 1200	C4ISR Journal Big 25 Awards Presentation
1315 – 1500	Panel Session: Intel Chiefs RoundTable

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