

November 14, 2011

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

Re: Standards of Ethical Conduct for Employees of the Executive Branch; Proposed Amendments Limiting Gifts from Registered Lobbyists and Lobbying Organizations – RIN 3209-AA04

Dear Mr. Thomas:

The National Marine Manufacturers Association (NMMA) appreciates this opportunity to comment on the Office of Government Ethics (OGE) proposed amendments to the regulation governing standards of ethical conduct for executive branch employees of the Federal Government. [76 Fed. Reg. 56,330](#) (Sept. 13, 2011).

NMMA is the leading national recreational marine trade association, with nearly 1,400 members involved in every aspect of the boating industry. NMMA members manufacture over 80 percent of recreational boats, engines, trailers, accessories, and gear used by boaters and anglers in the United States. NMMA is a member of the American Society of Association Executives (ASAE) and supports its views on this proposal.

NMMA has an interest in this regulation because it would directly affect the ability of Federal Government officials to attend NMMA events. In this proposal, trade association educational and other activities would no longer qualify for the “widely attended gathering” exception that allows federal government employees to be able to attend various programs and events held by organizations that may also employ lobbyists. Indeed, the OGE has implied that these events do not provide educational benefits, while similar events for professional associations (such as bar association events) do.

NMMA, in addition to being a trade association for the recreational marine industry that engages in lobbying among its many activities, is also the largest producer of consumer boat shows. NMMA produces seventeen consumer boat and sport shows. In addition, NMMA produces the International Boatbuilding Expo a trade show with an extensive educational component that

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NMMA

provided 90 seminars in 2011, most of which were put on by other partner organizations.¹ In addition, NMMA annually produces two technical training seminars devoted to compliance issues for boats sold in the USA and the European Union (EU), and has a [testing program](#) for individuals who serve as the manufactures designated “Compliance Specialist” as required for NMMA Certification.² NMMA also produces an annual legislative program held in Washington, D.C.

Importantly, numerous government agencies not only attend our events, but are also exhibitors and featured speakers. For example, the Coast Guard, the Coast Guard Auxiliary, the National Oceans and Atmospheric Agency, the Commerce Department, Office of Trade Assistance, the U.S. Customs and Border Protection Agency (CBP), the National Safety Transportation Board to name a few have found it beneficial to their missions to speak at our events, attend to learn more about boat building and boating to further their missions, and exhibit in order to reach out to the industry members or the boating public. For example, at our events NOAA may provide information to boaters on National Marine Sanctuaries, the Coast Guard may assist boat builders in complying with its regulations, the Coast Guard Auxiliary will educate boaters about boating safety, and the CBP will enroll boaters in its recreational boater entry programs (such as Local Boater Option or the Small Vessel Reporting System). NOAA and the Coast Guard have used our events as venues for public meetings on a host of regulatory topics. The Coast Guard has handed out free life jackets to children and participated in live news interviews at our shows to promote safe boating practices. The U.S. Copyright Office has learned about boat building so that it could better process registrations under the Vessel Hull Design Protection Act and taught attendees how to file their registration applications. All of these activities may now come to a halt because of this overreaching OGE regulation.

NMMA has long worked to facilitate the participation of these federal partners at our events. We provide them with all the benefits of any visitor or exhibitor – that would include any receptions, breakfasts or other events open to all attendees. We do not understand why the OGE seems to view these events as a concern. These proposed amendments will have a chilling effect on federal agencies and impede their ability to connect with the public and the regulated community. NMMA urges OGE to revise its proposed exception for gifts to allow federal employees to attend and exhibit at substantive educational programs and events held by trade associations for the same reason that this exclusion has been extended to other types of organizations.

¹ See http://www.ibexshow.com/about_seminars.php.

² See <http://www.nmma.org/certification/training/engineeringcomplianceseminar.aspx> & <http://www.nmma.org/certification/training/ceseminar.aspx>.

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Please contact Cindy Squires, Chief Counsel for Public Affairs and Director of Regulatory Affairs at 202-737-9766 or csquires@nmma.org for additional information or if you have questions.

Sincerely

A handwritten signature in black ink, appearing to read 'T. Dammrich', with a large, stylized initial 'T' and a long horizontal flourish extending to the right.

Thomas Dammrich
President