

From: Chris Vest
To: USOGE
Cc: Jim Clarke
Subject: RE: Proposed Amendments to Part 2635
Date: Wednesday, September 21, 2011 9:09:36 AM
Attachments: OGE RIN 3209-AA04.pdf

Attention: Richard M. Thomas, Associate General Counsel

Attached is a letter requesting a meeting with OGE regarding RIN 3209-AA04, Proposed Amendments Limiting Gifts From Registered Lobbyists and Lobbying Organizations. Please let us know if you have any questions. Thank you.

Regards,
Chris Vest
Director, Public Policy
ASAE: The Center for Association Leadership
1575 I St. NW
Washington, DC 20005
Phone: 202.626.2798
Fax: 202.220.6468
E-mail: cvest@asaenet.org
www.asaecenter.org

September 21, 2011

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

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

Dear Mr. Fox:

ASAE respectfully requests a meeting with you or appropriate parties at the Office of Government Ethics to clarify intent and share our concerns with proposed rulemaking RIN 3209-AA04, published in the *Federal Register* September 13, 2011.

The American Society of Association Executives (ASAE), a section 501(c)(6) individual membership organization of more than 22,000 association professionals and industry partners, is supportive of OGE's mission to promote high ethical standards for executive branch employees. We also understand that Executive Order 13490 directs OGE to develop regulations that extend the lobbyist gift ban for political appointees to all executive branch employees.

ASAE is concerned, however, with OGE's proposal to restrict government employees from attending widely attended gatherings held by trade associations. OGE notes that the WAG exception in the gift rules has been used to permit attendance at a wide range of events, including substantive conferences and seminars that provide a significant learning opportunity for government employees. Recognizing the legitimate educational and professional development benefits these programs provide, OGE proposes to exclude "nonprofit professional associations, scientific organizations and learned societies" from the WAG restriction, but not trade associations.

OGE is right to exclude professional societies and other types of nonprofit organizations from the WAG restriction, regardless of whether the organization is registered under the Lobbying Disclosure Act (LDA). There are tremendous benefits in allowing agency officials and other government employees to attend programs and other events that have a clear nexus to the government's interest.

ASAE is concerned that OGE perceives trade association events as lacking similar benefit to the federal government. Yes, many trade associations do engage in advocacy, but they also hold numerous

programs, seminars and other events where industry experts share valuable perspectives, raise important questions, and help formulate strategies for addressing difficult, complex issues. Banning government employees from these types of events does not promote informed policymaking or rulemaking.

ASAE would appreciate the opportunity to speak with you about these proposed rules before they are final. For more information and to set up a meeting, please contact Jim Clarke, ASAE's senior vice president of public policy, at 202-626-2865 or jclarke@asaenet.org.

Thanks in advance for your consideration of this request.

Sincerely,

A handwritten signature in black ink that reads "John H. Graham IV". The signature is written in a cursive style with a prominent "J" and "G".

John H. Graham IV, CAE President and CEO