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November 14, 2011

Via E-mail

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

Re: Docket No. RIN 3209-AA04, Proposed Amendments to Part 2635

Dear Mr. Thomas:

Thank you for the opportunity to comment on the Office of Government Ethics' rulemaking proposing amendments to 5 CFR Part 2635, existing OGE gift prohibitions applying to employees of the Federal Executive Branch. The Association of Home Appliance Manufacturers (AHAM) represents manufacturers of major, portable and floor care home appliances, and suppliers to the industry. AHAM's membership includes over 150 companies throughout the world. In the U.S., AHAM members employ tens of thousands of people and produce more than 95% of the household appliances shipped for sale. The factory shipment value of these products is more than \$30 billion annually. The home appliance industry, through its products and innovation, is essential to U.S. consumer lifestyle, health, safety and convenience. Through its technology, employees and productivity, the industry contributes significantly to U.S. jobs and economic security. Home appliances also are a success story in terms of energy efficiency and environmental protection. New appliances often represent the most effective choice a consumer can make to reduce home energy use and costs.

As written, the proposed rule moves well beyond present limitations to restrict federal employee participation in industry events except where federal employees are invited speakers or provide information to an event in their official capacity or because of their position. This is done under the guise that a "gift" is being received. It also excludes from coverage under the rule those organizations that are recognized as "professional societies, scientific organizations, and learned societies."

AHAM is greatly concerned about the effect the proposed rule would have on our and our membership's ability to engage directly with policymakers so that government officials understand the real world of manufacturing. We believe crafting the rule to prohibit access and restrict information to federal employees from associations that represent manufacturing companies (and arbitrarily distinguishing between Section 501(c)(6) and other non-profit

organizations) would further isolate government at a critical economic juncture from exposure to realities in the marketplace.

During select opportunities each year, most notably during our trade association's Annual Meeting, representatives from our member companies travel to Washington, DC, to engage face to face with other AHAM members and policy-makers to exchange information and views regarding the home appliance industry. These forums are not only of great interest to our members, but are especially useful to legislators and agency policy-makers who have to make critical decisions that impact the products people use in their homes every day. Some of these forums are more formal "panels" in which government officials have an invited speaking role. But, some are simply opportunities for more informal - albeit valuable – exchanges.

We understand and applaud efforts to continue to bring transparency and accountability to government operations and those in public service. However, this proposal does quite the opposite by restricting communications with government officials by trade association members in an open and lawful forum. We would ask that you reconsider the draconian application of the proposed rule so as not to curb the public-private partnership envisioned by President Obama during his remarks last year at the US Chamber of Commerce. The exemption for 501(c)(3) organizations and labor unions is purely arbitrary and should be removed.

AHAM appreciates the opportunity to comment on the OGE rulemaking. Please do not hesitate to contact us if we can provide additional information.

Sincerely,

Kevin Messner

Vice President, Policy & Government Relations