



November 14, 2011

VIA E-mail: usoge@oge.gov

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

Re: Proposed Amendments to 5 CFR part 2635; RIN 3209-AA04

Dear Mr. Thomas:

The Society for Human Resource Management (“SHRM”) appreciates the opportunity to comment on the Office of Government Ethics (OGE) proposed amendments limiting gifts to executive branch employees published in the Federal Register on September 13, 2011.

SHRM is the world’s largest association devoted to human resource (“HR”) management and represents more than 250,000 members in over 140 countries. Our goal is to both serve the needs of HR professionals through education and professional development and advance the interests of the HR profession. Founded in 1948, SHRM has more than 575 affiliated chapters within the United States and subsidiary offices in China and India.

SHRM strongly supports the goals of the existing Standards of Conduct for Employees of the Executive Branch codified at 5 CFR part 2635 and supports the OGE’s goals of high ethical standards and transparency for executive branch employees. In seeking to tighten the nexus between “widely attended gatherings” and government interest, however, we believe the proposed amendments may go too far by focusing on the provider of an educational event or training and decreasing opportunities for interaction.

We appreciate the OGE’s recognition of the importance of events focused on education and professional development and the ability of federal employees to accept

free attendance at such events. At many of the professional conferences that SHRM conducts each year, our attendees benefit greatly from interacting with government employees and understanding the government's approach to the various laws and policies with which HR professionals must comply. Likewise, we believe government employees in attendance benefit from talking with HR professionals and gaining a greater understanding of the realities and challenges of today's workplaces. Efforts to increase this type of mutual education and knowledge-sharing should be encouraged.

We, therefore, support the OGE's exception for free attendance at a training or professional event hosted by nonprofit professional associations, scientific organization and learned societies regardless of LCA registration status of the organization. We encourage the OGE, however, to consider expanding this exception to encompass similar events provided by trade associations. The existing proposal rightly focuses on the value of education and free exchange of ideas. SHRM suggests that a better approach is to focus on the nature of the event—a substantive event versus a social event unconnected to professional development—rather than focusing on the provider of the event. This approach will ensure that government agencies, with the guidance of their ethics officers, can determine which events will “provide a legitimate educational or professional development benefit that furthers the interest of an agency.”

As the proposal is finalized, we also encourage the OGE to draft the rule in a manner that is easy to understand. Individuals and organizations that must comply have 19 years of experience with the existing rules and their exceptions. All parties benefit from having a set of rules that are written in a clear and understandable fashion. We encourage OGE's use of robust, illustrative examples that reflect the reality of professional conferences and meetings that include both structured education and informal professional interaction.

Thank you for the opportunity to comment. If you would like to discuss this or other issues with SHRM, please contact Nancy Hammer, senior government affairs policy counsel, at (703) 535-6030 or nancy.hammer@shrm.org.

Sincerely,



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