

From: [REDACTED]

To: USOGE

Subject: Proposed Amendments to Part 2635

Date: Tuesday, October 11, 2011 4:54:25 AM

This comment is in regards to the Office of Government Ethics RIN 3209-AA04 titled: Standards of Ethical Conduct for Employees of the Executive Branch; Proposed Amendments Limiting Gifts From Registered Lobbyists and Lobbying Organizations." I strongly support the waiver of prohibition of using the Widely Attended Gathering (WAG) exception due to its strong connection in the First Amendment of the United States Constitution and as a part of information, participation and accountability provided for by the Administration Procedure Act regarding inclusion of the regulated in the bureaucratic process. I believe that by allowing officials from agencies to attend meetings directly related to their agency's mission via an invitation by an interested third party, allows for the grand practice of the Constitution's free speech principle and the right of the people's to "petition the Government for redress of grievances."

Although I applaud the efforts by the United States Office of Government Ethics in widening the reach of 5 C.F.R. part 2635 to include the often maligned efforts by lobbyists in influencing officials and also including a wider base of officials themselves to be prone to 5 C.F.R. part 2635, I believe that there has not been enough in reviewing and cutting back the exceptions published in 2635.204. Subpart B of 5 C.F.R. part 2635 is more than 7200 words; 5 CFR 2635.204, titled "Exceptions," is more than 5100 of that 7200. The exceptions of soliciting or accepting gifts make up seventy percent of the entire language of prohibition of gifts by outside sources. Seeing as how the effectiveness of techniques by interest groups is highest during informal contact with an agency as opposed to the lowest effective techniques being forming coalitions or attending hearings, exceptions need to be cut. This regulation needs to be less about deregulating executive officials' ability to accept gifts from outside resources and more about positively limiting what can be prohibited. The current lobbying industry is worth an average of \$3.5 billion with around an estimated twelve thousand to thirty thousand lobbyists per year. This heavy dose of lobbying which started in the early years of the American Government with Edward Pendleton operating a gambling house to hugely influential machines such as AIPAC today is occurring in every branch of the federal government including the OGE itself. Democracy must not be supplanted by the plutocracy that is quickly growing in American federal affairs.

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