



November 7, 2011

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

**RE: Comments on "Proposed Amendments to Part 2635"
RIN 3209-AA04**

Dear Mr. Thomas:

The Ohio Credit Union League (OCUL) appreciates the opportunity to comment on the Office of Government Ethics' (OGE) proposed amendments to the ethics rules for government employees (including political appointees subject to the lobbyist gift ban as a systematic prohibition), and imposing new limits on the use of exceptions in the rules that allow employees to accept invitations to widely attended gatherings (WAGs) from registered lobbyists and lobbying organizations.

OCUL is the trade association for credit unions in Ohio and advocates on behalf of Ohio's 387 federal and state-chartered credit unions and their 2.7 million members. The comments reflected in this letter represent the recommendations and suggestions that OCUL believes would be in the best interest of the 2.7 million consumers served by Ohio credit unions.

Summary

- The proposed rules apply to employees and officials of the executive branch under 5 U.S.C. section 105, NCUA, CFPB, officials of White House, Treasury Department and other independent agencies .
- The proposed OGE rules would limit the use of certain gift exceptions for executive branch employees. The proposed rules would not allow any employee to use the following exceptions in connection with gifts from registered lobbyists or lobbying organizations: the \$20 de minimis exception; the widely attended gathering exception; and the social invitation exception.
- The proposed rules will not apply where the gift received by an employee is provided by an organization that does not employ lobbyists but solely relies on outside lobbyists.
- The proposed rules provide exceptions for events held by professional societies, scientific organizations and learned societies, even if the organization is engaged in lobbying. Trade associations are not covered by the exception because OGE believes their primary concern is not education and professional development.



- The proposed rules would also amend the OGE rules to reflect the lobbyist gift ban established by the 2009 Executive order on political appointees. Political appointees would remain subject to the lobbyist gift ban as a separate prohibition. Appointees would remain barred from accepting gifts from lobbyists even when the lobbyist or lobbying organization is not a prohibited source and has not offered the gift because of an appointee's official position. Free attendance at events when a political appointee is speaking or presenting information on behalf of the government will be permitted.

Recommendations

OCUL supports OGE's initiative to promote high ethical standards for government employees. Further, OCUL supports OGE's exception in the proposed rules that would allow government employees and political appointees to accept offers of free attendance to widely attended gatherings that would provide a legitimate educational or professional development benefit.

OCUL does not agree with the OGE's proposal that excludes trade associations in the limited exclusions that will allow government employees and political appointees to accept invitations for events held by section 501(c) (3) organization, institutions of higher education, and nonprofit professional associations, scientific organizations and learned societies without regard to the Lobbying Disclosure Act registration status of these entities. OGE acknowledges in its proposal that trade associations may sponsor educational activities for their members and the public, but since the primary concern of trade associations is not education and development of members of a professional or discipline, disqualifies trade association from being included in the limited exception.

OCUL is urging OGE to review its proposed rules and include trade associations in the limited exclusion category along with other organizations under section 501(c) (3). By not including trade associations, OGE ignores the important role trade associations play in education and professional development. These educational and professional development programs conducted by trade associations are no different from those conducted by the other types of organizations listed in the proposed rule. They offer the same benefits to government employees and political appointees and should qualify for the same exclusion.

Trade associations are among the many types of nonprofit organizations that sponsor programs in connection with government interests and with Federal employees' professional development needs. They regularly hold seminars, conferences, trade shows and other programs that forecast industry performance and spotlight concerns. Government employees should not be restricted from attending programs where they can learn about latest developments, see new product demonstrations, and understand how industries might be impacted by rule making. At the same time, trade association members have the opportunity to learn more about agencies' interests and processes and are better prepared to comply with federal regulations.

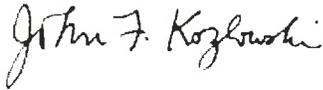
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Conclusion

The Ohio Credit Union League believes strongly that trade associations are unjustifiably excluded from the exception, and that government employees benefit greatly from attending programs, seminars, trade shows and other events held by associations that represent different industries.

OCUL would like to thank the OGE for the opportunity to comment on this proposal and, appreciates its consideration in any further actions or final rules adopted. OCUL is available to provide additional comments or information on this proposed rule if so requested. If you have any questions, please do not hesitate to contact me at (800) 486-2917 or jkozlowski@ohiocul.org.

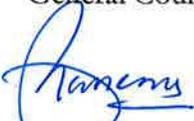
Respectfully submitted,



John F. Kozlowski
General Counsel



Dave Shoup
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cc: Mary Dunn, Credit Union National Association General Counsel
Tim Boellner, OCUL Chair
OCUL Board of Directors
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Paul Mercer, OCUL President