



December 14, 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:

The National Association of College Stores welcomes the opportunity to comment on proposed rule RIN 3209-AA04, which restricts all executive branch employees of the Federal Government from using certain exceptions to accept gifts from registered federal lobbyists and organizations that have appropriately registered under the Lobby Disclosure Act, including invitations to widely attended gatherings (“WAGs”).

Headquartered in Oberlin, Ohio, NACS is the professional 501(c)(6) trade association of the collegiate and elementary and secondary bookstore community. We represent more than 3,100 collegiate and K-12 retail stores on and off-campus and approximately 1,000 associate members who supply books, technology, clothing and other products to college stores. College and K-12 stores directly employ 150,000 people, of which approximately 30,000 are students.

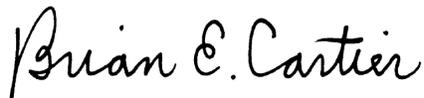
Based on conversations with your office on November 17, 2011 we were encouraged by staff to submit written comments based on our questions related to certain federal employees that may unintentionally be covered by this proposed rule. We would like OGE to address whether association members’ employees of federally owned and operated bookstores like those of the United States Service Academies would be covered by such regulations and restrictions? We are concerned the proposed regulations, should they cover such federal employees, may significantly undermine the ability of federal college and K-12 bookstore employees to attend and participate in educational conferences, webinars, meetings, and participate in industry certification like other employees of our member organizations.

Given budget constraints, travel costs and restrictions, and other limits placed on college store employees across our community, NACS has developed an aggressive subsidy and grant program to either eliminate or reduce costs for member employees so they can benefit from such education programs. The rule as drafted may not allow our federal employee members the same education opportunities as our non-federal employee members which will decrease their ability to effectively carry out their academic and community mission. As much of these education programs are aimed at helping lower costs for students and increasing efficiency, such restrictions could unintentionally harm students and institutions. Federal employees in this context have nothing to do with the intent of the proposed rule as such employees are not in any position to influence substantive policy or funding of the federal government, nor is the nature of their participation focused on advocacy .

We would also like to further reinforce submitted comments we co-signed with the American Society of Association Executives. We believe the draft rule's attempt to draw distinctions within the 501(c) community is without merit and misses the mark. We are also concerned that the draft rule will create incentives for some organizations not to file under the Lobby Disclosure Act which will reduce transparency we strongly support. Rather than attempting to draw false distinctions between types of organizations, restrictions on federal employees should continue to be based on the context of the role of the federal employee and the specific nature of the event or education.

Thank you in advance for your consideration of our question regarding certain federal employees and our overall concerns with the proposed rule.

Sincerely,

A handwritten signature in black ink that reads "Brian E. Cartier". The signature is written in a cursive, flowing style.

Brian E. Cartier, CAE
Chief Executive Officer