



American Society of Travel Agents
1101 King Street, Suite 200
Alexandria, VA 22314

Tel 703.739.2782
Fax 703.684.8319
800.ASK.ASTA

askasta@astahq.com
www.ASTAnet.com

October 9, 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:

I am writing on behalf of the American Society of Travel Agents (ASTA) concerning your proposed rule limiting the ability of executive branch employees of the Federal Government from accepting complementary invitations to widely attended gatherings ("WAGs").

ASTA is a section 501(c)(6) individual membership organization representing approximately 2,500 domestic travel agency firms. We both represent the interests of travel agents to all levels of government and industry, as well as promoting professional and ethical conduct and consumer protection for the travelling public. ASTA's membership includes many different travel agency business models from the local, retail storefront location to large travel management companies (TMCs) such as American Express Travel and the major online agencies Expedia, Orbitz, and Travelocity.

I understand the intent of the Office of Government Ethics in promulgating this rule, but am concerned as an association executive that you have crafted it far too narrowly. In drafting a limitation that allows government employees only to accept complementary invitations to attend educational and professional development activities held by Section 501(c)(3) organizations, institutions of higher education, and nonprofit professional associations, scientific organizations and learned societies, you are ignoring the significant educational and professional opportunities that trade associations such as ours represent both to Federal Employees and our own members. ASTA objects to being left out of the exclusion – our meetings and conferences provide valuable educational and professional development opportunities, promote common interests, and allow our members to share best practices and learn about the latest developments in the travel industry.

On several occasions in 2011, ASTA had the unique opportunity to invite executive branch employees to speak or present educational materials at our meetings and trade shows. For example:

- In July, ASTA's Corporate Advisory Council had the unique opportunity during their annual summer conference to meet Department of Transportation (DOT) Secretary Ray LaHood and DOT Assistant General Counsel for Aviation Enforcement and Proceedings Samuel Podberesky, and to engage in productive, lengthy discussions concerning

proposed legislation and rulemaking related to Airline Ancillary Fees. The educational value of such opportunity to question executive branch employees in an informal setting and discuss and learn about potential policy changes was invaluable for ASTA's leadership.

- Subsequently, as part of ASTA's Business Executive Series more than 170 travel industry professionals interested in furthering their understanding of current and pending regulatory and legal issues gathered online in a Travel Agency Legal Symposium to hear critical insight from Podberesky and others, another professional development opportunity available for our members with participation from executive branch employees.
- In addition, our recent Trade Show, conducted last month in Las Vegas, Nevada, included a booth and presentation from employees of the Transportation Security Agency (TSA), who took the opportunity to educate ASTA members on TSA policies, procedures, and upcoming programs (such as the Trusted Traveler Program).
- In the past, our Trade Shows have included exhibitors and presentations from employees of the US Department of State, US Custom and Border Protection, and even the Passport Agency of the Bureau of Consular Affairs.

This year, the presentation by TSA employees and their presence was critical to the educational component of our Tradeshow: our members were interested in learning from executive branch employees, not solely in engaging in advocacy on any point of view, policy, or procedure.

I urge you to reconsider your proposed rule and revise the exemption to include educational and professional development activities held by Section 501(c)(6) organizations. As our examples show, participating in our Trade Show and other association events has benefitted the Administration's interests in educating travel agents and the ultimately the public on key public safety and consumer initiatives. Similarly, our interaction with government employees at ASTA events has clearly benefitted those employees by providing opportunities to learn about latest developments, see new product demonstrations, and understand how the travel and tourism industry is impacted by administrative rules and policies such as the FAA Reauthorization Bill and DOT Airline Fees Rule.

Thank you in advance for your consideration and if you have any questions, please contact Paul Ruden, Senior Vice President of Legal and Industry Affairs, at 703-739-6854, or pruden@asta.org.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Tony Gonchar', with a stylized flourish at the end.

Tony Gonchar
Chief Executive Officer
American Society of Travel Agents (ASTA)