



MISSOURI CREDIT UNION ASSOCIATION

November 2, 2011

Richard M. Thomas
Associate General Counsel
Office of Government Ethics, Suite 500
1201 New York Avenue, NW
Washington, DC 20005-3917
usoge@oge.gov

**Re: Michael V. Beall, Esq., - Comments Gifts from Lobbyist;
Regulation Identifier Number (RIN), 3209-AA04;
Proposed Amendments to Part 2635**

Dear Mr. Thomas:

On behalf of the Missouri Credit Union Association and the 1.3 million credit union members we represent, I am writing to express concerns about the proposed changes to the Office of Government Ethics (OGE) rules contained in 5 CFR Part 2635, Standards of Ethical Conduct for Employees of the Executive Branch; Proposed Amendments Limiting Gifts from Registered Lobbyists and Lobbying Organizations. In our view, the modifications contained in the proposal would create unnecessarily restrictive barriers to essential interactions between executive branch personnel and representatives of regulated industries, and would preclude important exchanges of information vital to the proper function of government.

Currently, OGE rules prohibit executive branch employees from accepting gifts in specific instances, such as from persons or entities that have official business before the recipient's agency. The rules set forth several exceptions from the gift prohibition, including gifts of de minimis value and gifts of free attendance at "widely attended gatherings."

OGE has proposed changes that would prohibit executive branch employees from relying on the gift exceptions for gifts or other items of value offered by registered lobbyists and lobbying organizations. The proposal would not apply to the exemption that enables organizations to waive fees for attendance at an event if the executive branch employee will be performing official duties at the event. Executive Branch agencies important to MCUA, such as the National Credit Union Administration, Consumer Financial Protection Bureau, and the Federal Trade Commission are all covered by this proposal.

MCUA conducts a wide variety of educational, informational and advocacy-related activities for our members, including those intended to involve interaction with federal officials. These are not intended to create the kind of inappropriate environment contemplated in the statute creating the OGE; rather, in providing a forum for discussion between a federal entity and representatives of a regulated industry, MCUA fosters an improved understanding by all parties

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of the impact of specific governmental policies. This intersection is not only appropriate, it is intrinsic to the formulation and application of the laws under which we live.

For example, MCUA provided credit union attendees from Missouri and Oklahoma with the opportunity to hear from Elizabeth Vale with the Consumer Financial Protection Bureau during a webcast at our Convention and Exposition in September. During our most recent Hike the Hill in October, Missouri credit union leaders met with National Credit Union Administration Chairman Debbie Matz to share concerns and hear about recent developments at the agency. We have also hosted Chairman Matz at a recent MCUA Annual Meeting.

While MCUA broadly agrees with federal ethics rules aimed at avoiding impropriety, or the appearance of impropriety, surrounding the activities of federal officials who deal with the credit union industry in Missouri, we believe that the proposed change would create an unnecessarily restrictive environment, and deter organizations such as ours from providing forums at which we can provide legitimate input to federal officials. The requirement that a federal official would have to pay their own way to a widely-attended event at which they are simply an attendee but not a presenter, is an overly-high barrier that serves no actual purpose.

The current regime has worked well, and has enabled MCUA to conduct appropriate educational activities consistent with the principles of open and honest government. We respectfully encourage you to consider withdrawing this proposed change.

Sincerely,

A handwritten signature in cursive script, appearing to read "Michael V. Beall".

Michael V. Beall, Esq.
President/CEO