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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 OGE Amendments Limiting Gifts from Registered Lobbyists and Lobbying Organizations]

Dear Mr. Fox:

The American Academy of Neurology welcomes the opportunity to submit comments on proposed rule RIN 3209-AA04, which would restrict executive branch employees of the Federal Government from using certain exceptions to accept gifts from registered federal lobbyists and lobbying organizations, including invitations to widely attended gatherings (WAGs).

The American Academy of Neurology (AAN) is a 501(c)(6) international professional association of more than 24,000 neurologists and neuroscience professionals dedicated to promoting the highest quality patient-centered neurologic care. While the AAN agrees with the Office of Government Ethics' (OGE) assessment on the value of educational opportunities in WAG settings, the Academy opposes the proposal to make an unnecessary and counterproductive distinction between nonprofit associations and trade associations in its gift ban exemption for widely attended events.

Specifically, the AAN strongly disagrees with the OGE's reasoning that the "primary concern of [trade] associations generally is not the education and development of members of a profession or discipline..." The central focus of the AAN is to improve the science of neurology and to prepare members of the neurologic profession to provide high-quality neurologic care. In fact, a 2011 Membership Loyalty survey of AAN members found that the top three reasons why members join the AAN are: 1) to stay abreast of current research in neurology; 2) to have access to the AAN's educational resources; and 3) to stay current on information about the profession.

Education and the advancement of the profession of neurology are the key tenants of the AAN's mission. The Academy's Annual Meeting is the world's leading educational venue for neurologists and neuroscientists to learn about the latest scientific advances in the field of neurology. This meeting attracts 11,000 to 13,000 individuals every year. Other AAN events and activities likely to be affected by this proposal are centered on education, skill development, and professional growth.

Since the proposed rule does not adequately define the terms "trade association" and "nonprofit professional association," it would be difficult to determine the applicability of the WAG exception from the viewpoint of both Federal employees and

associations. Further, clarification as to what elements constitute an “educational and professional development activity” would be helpful.

Federal employees represent an important segment of the AAN’s membership. This proposed rule would needlessly divide these members from their non-federally employed colleagues. The AAN is concerned that the vague definitions in the proposed rule, if not corrected, would lead Federal employees to not attend events should there be any question as to whether the sponsoring organization is exempt and the activity is deemed sufficiently educational. Therefore, the AAN respectfully requests further study of this issue and reconsideration of the characterization of the role of trade associations in the OGE’s final rule. Specifically, the AAN recommends the elimination of the distinction between nonprofit professional associations and trade associations in the final rule.

Sincerely,

A handwritten signature in black ink on a light pink rectangular background. The signature reads "Catherine M. Rydell" in a cursive script.

Catherine M. Rydell, CAE
Executive Director and CEO
American Academy of Neurology