From:	Anne Kiefer
To:	USOGE
Cc:	Andrew Emery; Anne Kiefer
Subject:	Proposed Rule: Legal Expense Fund Regulation
Date:	Tuesday, June 21, 2022 4:25:07 PM
Attachments:	Updated June 21 Expedited Blanket Authority Comments as submitted 6 21 22.pdf

June 21, 2022
Office of Government Ethics
1201 New York Avenue NW, Suite 500
Washington, DC 20005

Re: Office of Government Ethics Proposed Rule—Legal Expense Fund Regulation; RIN 3209-AA50; 87 Fed. Reg. 23769-23780 (April 21, 2022)

Dear Sir/Madam:

On behalf of the Section of Administrative Law and Regulatory Practice of the American Bar Association (the Section), I write in response to the above-referenced proposed rule by the Office of Government Ethics (OGE) regarding its legal expense fund regulation. The views expressed herein have not been reviewed or approved by the House of Delegates or the Board of Governors of the American Bar Association and, accordingly, should not be construed as representing the policy of the American Bar Association.

The Section has prepared the attached comments for OGE's consideration regarding several key issues identified in the proposed rule. The Section is a nonpartisan organization that is interested in the powers and responsibilities of government agencies at the federal, state and local levels, the processes by which they operate, review of their actions, their executive, legislative, and judicial branch relationships, and their relationship with the public. Both politically and geographically diverse, the Section is composed of specialists in administrative law and includes private practitioners, government attorneys, judges, law professors, and members of nonprofit organizations. Officials from all three branches of the federal government sit on its governing Council. The Section is interested in the subject matter of the proposed rule as affecting an important topic relevant to good government—ethics regulations for the federal civil service—and wishes to help ensure that any OGE regulatory action deriving from the proposed rule avoids unintended conflicts.

Submitted on behalf of Andrew Emery, Chair, ABA Section of Administrative Law & Regulatory Practice

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