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Don Fox
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1201 New York Avenue, NW
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Re: RIN 3209-AA04 (Proposed Amendments Limiting Gifts from Registered Lobbyists and Lobbying Organizations)

I appreciate 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 lobbying organizations, including invitations to widely attended gatherings (WAGs).

Capitol Connection, LLC represents several trade associations based in Kansas. These associations include the Kansas Association of Licensed Investigators, Kansas Organization of Recyclers and the Kansas Pest Control Association. Together, these groups represent more than 500 organizations, many of them small to mid-size businesses employing thousands of Kansans.

The proposed amendments would have a negative impact on the work these organizations do, and their efforts to keep federal officials informed. It would also hinder efforts by these organizations and federal employees to work together in developing sound policy that meets the mandates of government without placing unnecessary burdens on businesses and citizens.

We support the Office of Government Ethics' (OGE) mission to promote high ethical standards for executive branch employees. However, excluding trade associations from the list of organizations that can extend invitations to government employees to attend WAGs will only hinder efforts to keep these officials informed and up-to-date.

Under the proposed rule, OGE states it "does not believe that employees, including political appointees subject to Ethics Pledge, should be precluded categorically from accepting offers of free attendance at substantive events that would provide a legitimate educational or professional development benefit that furthers the interests of an agency." In its reasoning for not including trade associations in that exclusion, OGE states, "Trade associations may sponsor educational activities for their members and even the public, but the primary concern of such associations

generally is not the education and development of members of a profession or discipline, which is the focus of the proposed exclusion.”

With all due respect, this is an incorrect premise that misrepresents, and clearly does not understand, the work trade associations do or the relationships they have with government employees. In fact, many trade associations exist for the sole purpose of being a hub of education and development for members of a profession or discipline.

The opportunities our associations offer are opportunities for development of industry practices and education opportunities to ensure those practices are followed. Often times, the educational opportunities we provide are to ensure our members are in-step with federal and state regulations, which is a directly tied to individual members development within their profession.

The Kansas Association of Licensed Investigators, Kansas Pest Control Association and Kansas Organization of Recyclers are 501(c)(3) entities. While they engage in some advocacy and lobbying, they have no PACs, do not donate to campaigns and do not engage in elections. This is not uncommon for many trade associations, who exist to educate individuals and work toward good industry practices that protect citizens while benefiting organizations.

Our trade associations work with federal employees to resolve industry-wide issues, from economic concerns to rules and regulations to the enforcement of laws and mandates. There is benefit to these individuals attending WAGs at no expense: they are often the only time a large number of stakeholders and government employees have the opportunity to discuss issues and learn from one another. WAGs offer essential forums for necessary discussions and education in an organized and cost efficient manner for government employees and appointees.

Our education and professional development opportunities are identical to those conducted by other types of organizations listed in the proposed rule. They offer the same benefits for government employees and should be granted the same exclusion.

I ask you to reconsider not including trade associations in the list of organizations that can be extended invitations to government employees to attend WAGs.

Thank you for your consideration of and attention to this matter. If you have any questions or would like further information, please contact me at capitolconnectionkansas@yahoo.com or via telephone at 785-271-9220.

Sincerely,



Spencer L. Duncan
Capitol Connection, LLC