From: Mark Skoglund
To: Contact OGE
Subject: Proposed Rule: Legal Expense Fund Regulation (RIN 3209-AA50)
Date: Thursday, June 16, 2022 1:43:53 PM

Good afternoon,

I am the Executive Director of the Kansas Governmental Ethics Commission. I am writing in opposition to the current draft of OGE's proposed legal expense fund regulation. While the goals are laudable and major change is critically needed in this area, the current form is unworkable and requires substantial changes to provide meaningful ethics reform at a time when ethics regulations are so crucial to the public's ability to trust governmental decisionmaking.

OGE should:

- Remove the exception that makes compliance with the regulation optional;
- Replace the proposed recusal requirement with a broader 5-year recusal requirement that prevents donors of cash gifts from influencing decisions, policies, or regulations affecting them or the industries in which they have substantial interests;
- Remove the offensive example involving an accused sexual harasser; and
- Place nonprofit charities (501(c)(3) organizations) on an equal footing with large law firms by allowing them to hire legal counsel for whistleblowers.

Thank you for your attention.

Mark Skoglund
Executive Director, Kansas Governmental Ethics Commission