From: David Quist
To: USOGE
Subject: Proposed Rule: Legal Expense Fund Regulation
Date: Tuesday, June 21, 2022 10:22:21 PM

I write with regard to the above proposed rule, addressing Legal Expense Fund Regulation (RIN 3209-AA50). As a public servant, I know that ethics cannot be optional, should apply regardless of the "side" from which the potential conflict arises and that the public trust requires rules that are transparent and which instill confidence that public officials are acting in the public interest without fear or favor.

With that in mind I have several concerns regarding the above proposed regulations which, as drafted, fail virtually every one of those principles. I oppose the Office of Governmental Ethics proposed rules, specifically as to the following:

1. The rules should be mandatory. Making them optional renders them meaningless, and is a patently unacceptable approach.

2. The proposed recusal requirement should be broader, and should extend for a period of at least five years. There should be no room to suspect that cash donors influence decisions, policies, or regulations affecting them, or entities in which they have an interest.

3. The regulations should support legal counsel for whistleblowers, regardless of whether such counsel is provided by law firms or nonprofit charitable organizations, and should not provide for one at the expense of the other or favor either.

4. The example of providing defense for a sexual harasser both misdirects and offends. Surely there are better examples for making the point.

David W. Quist

265 S. Main Ave.

Albany, NY 12208

518.221.3808