From: Dean Banfield
To: USOGE
Subject: Proposed Rule: Legal Expense Fund Regulation (RIN 3209-AA50)
Date: Tuesday, June 21, 2022 5:02:06 PM

You must revise the draft regulation as currently written. An OGE regulation which is optional is not actually compliant with the definition of a regulation, because it fails to regulate, and instead merely models good practice for those interested in understand good ethical practices. Others may freely ignore it, and are therefore unregulated.
I am also not in favor of permitting generalized 'legal defense funds' with any tax or non-disclosure of donor advantages being constituted without naming the individual party that the fund can be used to aid in legal matters. In the event that a single fund may benefit multiple parties, then it's bylaws must specify upfront who those parties are in a comprehensive list AND shall identify in percentage terms the beneficial interest ratio that each donated dollar will accrue to the named beneficiaries, who must be real persons, and not other corporate entities.