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AGENDA ITEM

For Meeting of: 11-19-09 2009 NOV 17 P 12: 15

SUBMITTED LATE

October 16, 2009

MEMORANDUM

TO: Steven T. Walther, Chairman, FEC
 Matthew S. Petersen, Vice Chairman, FEC

THROUGH: Robert A. Hickey, Staff Director *AP For RH*
 Thomasenia P. Duncan, General Counsel *TD*
 Lawrence Calvert, Associate General Counsel for General Law & Advice
 Office of the General Counsel *LC*
 Mary Sprague *MS*
 Chief Financial Officer

FROM: Art Forster, Chief Communications Officer *ACF*

SUBJECT: 2010 COGEL Conference

This memo follows your October 8 meeting with Ms. Nola Western, Ms. Sarah Jackson and Ms. Diane Gill of the Council on Governmental Ethics Laws (COGEL) that addressed their invitation for the FEC to co-host the COGEL Annual Conference in Washington, DC in December 2010. Ms. Western, COGEL President-Elect, sent the attached July 15, 2009 letter to Mr. Robert Hickey, which outlines their desired support.

As you know, the FEC is a charter member of COGEL, which was established in Washington DC in 1978. COGEL members have consulted with FEC staff members on a number of campaign finance, election and Freedom of Information issues over the years. Several states have used the FEC as a model for establishing their campaign finance and public disclosure programs. FEC Commissioners and staff members have been frequent speakers, moderators and panel members at annual COGEL conferences.

After reviewing the COGEL request and consulting with our ethics office, I recommend the Commission approve Ms. Western's request for the FEC to serve as co-host of the 2010 COGEL Conference in Washington DC. I am confident we can assemble a group of FEC volunteers to provide the required advance and on-site support.

All costs associated with this initiative would be staff hours, use of FEC audiovisual equipment and printing costs. The printing costs are estimated to be no more than \$1000. This would be using FY 2011 funds.

Atch: COGEL Letter, July 15, 2009



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 21, 2009

MEMORANDUM

TO:

Arthur C. Forster *ACF*
Deputy Staff Director for Communications

THROUGH:

D. Alec Palmer *AP*
Acting Staff Director

FROM:

Thomasenia P. Duncan *TPD*
General Counsel

Lawrence L. Calvert Jr. *LJC*
Associate General Counsel for
General Law and Advice

RE:

FEC Co-sponsorship of Council on Governmental Ethics Laws
Annual Meeting, December, 2010

We have reviewed your draft memorandum to the Chairman and Vice Chairman and the July 15 letter to Rob Hickey from M. Nola Western, president-elect of the Council on Governmental Ethics Laws (COGEL), requesting that the Commission co-sponsor COGEL's annual conference to be held in Washington in December 2010. In general, we see no legal impediment to the Commission's co-sponsoring the conference, subject to the following, which confirms your telephone conversation with Larry Calvert on October 16.

1. As set forth in Ms. Western's letter, the material support to be provided by the Commission for the conference is to be limited to the following:

a. FEC personnel on paid FEC time will staff the event's registration tables.

b. The FEC will print, or obtain printing, of the conference program and the conference materials. You indicated in our conversation earlier today that you believe we may be able to perform this work in-house using FEC staff, equipment and materials, but you also acknowledged the possibility that the Commission might have to expend funds to obtain these services.

c. FEC personnel on paid FEC time will provide audiovisual services to the conference. A small number of Commission laptop computers will also be used for this purpose.

2. Although this is not reflected in Ms. Western's letter, you have indicated that you have had discussions with COGEL regarding free attendance by Commission employees at sessions of the conference on a space-available basis as part of the Commission's co-sponsorship of the conference. This is permissible so long as both COGEL and the Commission explicitly agree to this point ahead of time. If there is no agreement ahead of time and employees are provided free attendance on an *ad hoc* basis, then the free attendance becomes a gift to the employee from COGEL and requires analysis of each individual situation under the "widely attended gathering" provisions of the government-wide Standards of Conduct regulations promulgated by the Office of Government Ethics. We urge that any agreement with COGEL regarding free attendance by Commission employees be reduced to writing, which we would be happy to review.

3. We understand that there will be no portions of the event exclusively sponsored by COGEL, nor will there be any receptions or similar social activities exclusively hosted by the Commission.

4. We understand that all arrangements regarding registration fees will be handled by COGEL, not the FEC.

5. We understand that you have consulted separately with the Chief Financial Officer regarding the budget implications of making commitments now that may require expenditures of FY 2011 appropriations.

Please let us know if we may be of any further assistance.

COGEL

COUNCIL ON GOVERNMENTAL ETHICS LAWS

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July 15, 2009

Mr. Robert A. Hickey
Staff Director
Federal Election Commission
999 E Street, NW
Washington, DC 20463

Dear Mr. Hickey,

I am the current President-Elect of the Council of Governmental Ethics Laws (COGEL) and will be President during the 32nd Annual COGEL Conference in Washington, DC in December 2010. It is with great respect that I send this letter on behalf of COGEL officially requesting the Federal Election Commission act as co-host to that conference. The conference will be held at the Fairmont Washington, DC from December 5 to 8, 2010.

COGEL is a professional organization for government agencies, organizations, and individuals with responsibilities or interests in governmental ethics, elections, campaign finance, lobby laws and freedom of information. COGEL is an active organization that works to ensure that professionals in these areas are connected to each other and aware of new developments in these fields. By offering opportunities to connect in person and online, COGEL enables networks to grow and strengthen, and aims to share knowledge and foster debate.

COGEL membership, numbering about 200, is drawn principally from government agencies and interested firms, groups and individuals from the United States and Canada. There are also European, Australian and Latin American members.

The COGEL Annual Conference is a rare opportunity for leaders involved in campaign finance, government ethics, elections, lobbying regulation and freedom of information to interact with other professionals in their fields and learn first-hand about their challenges and successes. Contacts made at the conference often prove invaluable, particularly when rapid changes in legislation and technology impact how we do business.

Recent conferences have attracted between 350 and 400 attendees. We expect the Washington, DC conference to be one of the most well attended conferences in COGEL history and are very excited about holding the conference in your nation's capital.

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The Federal Election Commission has always been an invaluable member and supporter of COGEL. Several of your past and current commissioners and employees have played key roles in our organization and been recipients of awards and honors bestowed by the COGEL membership. Furthermore, FEC employees and commissioners have always contributed greatly to the success of the annual conferences by participating as speakers, moderators and panel members.

As one of the largest single agencies involved with COGEL, the FEC's continued support of our organization is vital to our future success, particularly regarding the 2010 Annual Conference. As co-host, the FEC's commitment would include staffing the registration desk throughout the conference, printing and collating the conference program and other conference materials, technical support for audio-visual equipment and working closely with COGEL's Executive Directors.

My agency, Elections British Columbia, has a staff of 44 and hosted the 2007 Annual Conference in Victoria. I can assure you that while hosting the conference was a commitment, it was a most valuable and rewarding experience for myself and our staff and did not overly tax our financial or human resources.

When COGEL's Site Selection Committee chose Washington, DC for our 2010 conference, we thought the FEC would be the logical choice to serve as co-host of the event. Since there have subsequently been significant leadership changes at the Commission, we felt it was important to revisit this issue and to more formally request the assistance of the FEC in hosting the December 2010 conference.

I will be in Washington on October 8 and 9 along with the 2009 COGEL President, Sarah Jackson and Diane Gill, COGEL's Executive Director. We would like to meet with you sometime during those days to discuss this request in more detail and provide any further information you require.

Please do not hesitate to contact me by telephone at 250-387-4141 or via email at nola.western@elections.bc.ca if you have any questions or if you require any further information.

Sincerely,



M. Nola Western, CA
COGEL President-Elect

- c. Sarah Jackson, COGEL President
- L. Diane Gill, CAE, COGEL Executive Director