



ELC

**Emerging Leadership Council
for the CFCNCA**

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June 6, 2013

Mr. Keith Willingham
Director, Office of CFC Operations
U.S. Office of Personnel Management
1900 E Street, NW, Room 6484
Washington, DC 20415

Docket RIN: 3206-AM68

Dear Mr. Willingham:

The Executive Committee of the Emerging Leadership Council (“ELC”) for the Combined Federal Campaign of the National Capital Area (“CFCNCA”)¹ appreciates the opportunity to provide the Office of Personnel Management (“OPM”) with our views regarding the proposed changes to the Combined Federal Campaign (“CFC”), which OPM issued in RIN 3206-AM68 on April 8, 2013 (the “Proposed Rule”).

The ELC, formerly known as the Young Donors Advisory Council, is a group comprised mostly of new and young federal employees who volunteer their time and leadership to the CFCNCA. The group was created in early 2011 to determine how to engage new federal employees and first-time participants in the campaign. Last year, the ELC expanded its mission to engage and develop emerging leaders within the federal workforce through the CFC, and to promote a sustained federal workforce of compassionate leaders.

The ELC is currently governed by six Executive Committee members, and the organization has a growing list of federal workers at a variety of different agencies who want to become more involved. We have been working closely with the Local Federal Coordinating Committee (“LFCC”) and Principal Combined Fund Organization (“PCFO”) for the CFCNCA to solidify the foundation we have already built to become an even more effective advocate for the CFC in the upcoming 2013 campaign. In addition, the ELC is striving to recruit a membership that is representative of the emerging leaders in the federal workforce; advise and assist the

¹ More information about the ELC can be found at <http://cfcnca.org/about-cfcnca/emerging-leadership-council-elc>.

CFCNCA in implanting strategies to engage a greater number of new employees in the federal workforce; provide leadership opportunities for its members; connect emerging leaders with the positive outcomes of philanthropy; and support agencies' efforts in engaging their own emerging leaders in the campaign.

The ELC is generally in support of policies that would create greater efficiency and transparency, improve local oversight, and promote voluntary giving. There are a number of changes in the Proposed Rule which look promising, including sections: (1) Changing the Campaign Solicitation Period; (2) Immediate Eligibility; (3) Disaster Relief; (8) Training and Oversight; and (10) Streamlining Campaign Administration. However, we also are concerned with some of the changes in the Proposed Rule. Our comments below focus on the effect of certain proposed changes on federal employees that we believe could lead to a significant reduction in federal employee participation and funds raised for the CFC.

1. CFC Fundraising Events (Proposed § 950.502)

Proposed § 950.502 provides that “[c]ampaign kick-offs, victory events, and other non-solicitation events to build support for the CFC are encouraged”—but that “[n]o funds may be raised at these events.” The CFC-50 Commission did not recommend this proposed change, and OPM has not explained or justified why this proposed change is necessary.

The Proposed Rule would prohibit the many typical—*and successful*—ways in which federal employees currently raise awareness and funds for the CFC, including agency bake sales, silent and live auctions, raffles, jeans days, and theme lunches.² The ELC believes the ability to not only raise funds, but engage employees into the campaign, will be severely limited if agencies cannot hold CFC fundraising events. Moreover, in practice, these fundraising events also provide a means for those who do not otherwise donate to CFC to contribute.³ Events such as these are especially important for new employees—it provides an unpressured environment in which to start lifelong giving to the campaign through a single donation.

Indeed, in practice, it is difficult to imagine what a “non-solicitation event[] to build support for the CFC” would look like under the Proposed Rule. An agency could still theoretically hold an event like a chili cook-off or game show contest (as long as there were no

² Other examples of creative and successful CFC fundraising events can be seen on OPM’s own “National CFC awards” website, available at <http://www.opm.gov/combined-federal-campaign/awards/#url=2010>. For example, the website’s “heroes” include federal employees like Chet Boutelle, of the Defense Finance and Accounting Service (“DFAS”), who “set up an internal team of volunteers who implemented a new campaign strategy that included events such as walking taco sales, donut sales and pizza sales. Based on his belief that the experience gained by working on the CFC is a win-win for everyone, he also increased the number of DFAS Loaned Executives to three. The result of these efforts was a 15.1% increase in pledges that exceeded his \$200,000 goal and an 18% increase in participation.”

³ The ELC also notes that this donation practice would also be in jeopardy by the Proposed Rule’s removal of the undesignated gift options and the requirement for all donations to be electronic (both discussed, in turn, below).

funds raised at the event), but other than having CFC posters around the location of the event, the Proposed Rule leaves little for agency employees to do to raise campaign energy and funds.⁴

The ELC believes that prohibiting fundraising events for the CFC would have a detrimental effect on the various and creative ways federal employees raise funds for the CFC; and overall, would have a negative impact on employee participation and the amount of money raised for charitable organizations. For these reasons, the ELC respectfully requests that OPM modify this provision to allow solicitations and charity involvement, or not include this provision in the final rule.

2. Undesignated Gifts (Proposed § 950.401)

The ELC believes the undesignated gift option provides another means for more funds to reach charitable organizations, and is in support of providing as many ways of giving as possible. Furthermore, one of the reasons that some employees choose to give through the CFC, and not separately on their own, is because they know that the charitable organizations they contribute to through the CFC will receive a portion of the undesignated gifts.

The ELC also believes this proposed change may have been intended to address the CFC-50 Commission's concern about charities that are created solely to be included on the CFC charity list and receive undesignated funds. We believe that a modification to this structure would prove to be just as effective. The current regulations (§ 950.501) already allow for disbursement of undesignated funds to charities in proportion to their designated funds. Creating a minimum designated amount to qualify for undesignated funds could be implemented to address this concern. This would increase employees' confidence in the quality of the charities they are donating to, and help increase the desire to participate.

Accordingly, the ELC does not support removing this option for giving to the CFC, and respectfully requests that OPM continue to include undesignated gifts in the final rule.

3. Electronic Donations (Proposed § 950.103, § 950.701(c))

The Proposed Rule eliminates the use of cash, check and money order contributions. Instead, all donations or payroll deductions will be required to be made through electronic means. The preamble to the Proposed Rule notes that "electronic transfers are widely available;" however, the ELC does not believe that OPM has addressed how to reach the large percentage of employees that currently donate to CFC and do not regularly have electronic or secure electronic access at their workplace. Although the ELC strongly supports efforts to "go green" and make the campaign more efficient, ELC encourages OPM to consider ways to encourage the transition to an exclusively electronic giving system, and make it easier for those employees without electronic access to donate, before suddenly ending this popular form of giving.

⁴ The ELC also notes that agencies may choose not to hold many CFC events other than a "kick-off" event in order to avoid running afoul of the Proposed Rule if it is adopted.

4. LFCC/RCC (Proposed § 950.104)

The Proposed Rule would transform the 184 LFCCs into an unspecified number of Regional Campaign Committees (“RCCs”). OPM proposes this change because it “believes the reduction in responsibilities, in addition to larger campaign regions from which members will be selected, will attract more individuals to serve in this important leadership role.” The CFC-50 Commission did not recommend this change, and as of now, there has been no indication on the size and reach of the new regions, or how this would work in practice.⁵

The ELC generally supports efforts to create greater efficiency and transparency by reorganizing and centralizing the backroom functions and administration of the CFC and creating a centralized website. However, the ELC is concerned about dismantling the loaned executive program and all of the many local volunteer committees that give their time and energy to promote and market the CFC in their communities. This type of engagement has helped make the campaign successful. A switch from LFCCs to RCCs may lead to a loss of the feeling of local “ownership” of and engagement with the campaign, which in turn may lead to decreased participation and donations.⁶

Further, the Proposed Rule appears to put more emphasis on agencies and their employees carrying out certain functions the LFCC and/or PCFO currently carry out, and it is not clear whether agencies are in fact prepared or able to handle these additional responsibilities. The ELC also notes that although the Proposed Rule would add to the agency’s role in the campaign (in particular the agency head in proposed § 950.105), it has removed all references to the agency volunteers that currently work on the agency’s campaign, i.e., agency “keyworkers.” ELC presumes this omission is intentional, but is not aware of the rationale behind this proposed change.

ELC also believes that OPM should retain the loaned executive program. This program provides additional benefits and training for federal employees, such as: (i) development, speaking, and management opportunities apart from their routine duties; (ii) new perspectives and insights on leadership; and (iii) valuable opportunities for inter-agency networking and learning, just to name a few. The value of what the loaned executives take back with them to

⁵ The composition of the RCC is also unclear from the Proposed Rule. Under the Proposed Rule, OPM will choose representatives of federal inter-agency organizations or personnel assigned to the military installation and/or federal agency identified as the “lead agency” in that region. Although the Proposed Rule states that this is the composition of a RCC “at a minimum,” it is not clear whether OPM will continue to allow the process of agencies nominating employees to become members of the LFCC in the RCC context. Further, as a practical matter, it is unclear how OPM will determine which agency is the “lead” agency in some regions (e.g., the Washington, D.C. area).

⁶ In addition, with respect to the RCCs, under § 950.107 of the Proposed Rule, it appears that the fee charities would pay to participate in the CFC would directly cover the costs of the training and travel of federal employees that are members of the RCC. The ELC is concerned about the optics to federal employees (and the public) of charitable organizations paying for federal employee travel. Moreover, the ELC understands that some federal employees would be prohibited by their agency’s ethics rules or policies in using such fees for travel. The ELC believes that OPM should continue to allow federal agencies to cover these costs if they choose and that these costs should, at the least, be budgeted for in advance, as is the current practice when these fees are considered as part of the PCFO’s annual budget.

their own agencies from this experience cannot be quantified.⁷ Further, agencies with limited financial resources are looking for opportunities just like these to provide additional experience for their employees, both younger, rising stars and seasoned employees. The ELC believes that increasing participation from new and emerging employees through the ELC, LFCC, or the Loaned Executives programs would provide OPM with more qualified and knowledgeable federal employees who can help manage the oversight of the campaign.

Accordingly, the ELC hopes that in considering the final rule, OPM will solicit and consider the input of other stakeholders, such as loaned executives, LFCCs, and agency heads on the impact of this proposed change before adopting this provision as written.

Summary

In sum, we are concerned that the Proposed Rule as a whole will essentially turn the CFC into a massive “direct email” type of campaign involving an agency “kick-off” email containing a donation website link, followed every couple of weeks throughout the campaign by a reminder email. We do not believe this will increase participation or giving in the campaign. Moreover, we are concerned that this type of campaign could be considered coercive, which is prohibited by the current and Proposed Rule. We recognize that the CFC can be improved and that there are efficiencies that could be introduced; however, we believe that the proposed changes as discussed above would detrimentally impact campaign participation and giving, and have not been explained or justified by OPM.

Finally, we would also like to stress that we believe we need to increase participation in the campaign by engaging the next generation of federal employees. We believe that younger employees prefer a variety of giving options that go beyond a simple donation and prefer options that deepen the emotional connection with the causes they care about. We do not believe the Proposed Rule addresses this need, but we would be happy to have a dialogue and share ideas with OPM and other stakeholders.

Sincerely,

The Executive Committee of the Emerging Leadership Council for the CFCNCA
(Russell Maltempo, Nazmia Alqadi, Christine McMahon, Ashley Estes, David Koegel,
Maggie Sklar)⁸

⁷ Moreover, OPM has not sufficiently demonstrated how members of a RCC would not also need some form or iteration of a loaned executive program in order to carry out their duties under the Proposed Rule, i.e., reviewing the eligibility of charitable organizations, training agency employees (and related travel across a region), protecting potential donors from coercion, cooperating with agency heads in organizing and conducting the campaign, and supervising the regional marketing firm. ELC is concerned that the proposed changes and the loss of the loaned executive program could actually lead to less willingness for federal employees to participate in the RCC.

⁸ This submission is made in our capacity as Executive Committee members of the ELC and does not reflect any views or opinions by our employers or in our official capacities, and is not intended to convey or constitute legal advice.