

1. The proposed regulation changes offer no details on the proposed upfront and non-refundable fees for charities to participate in the campaign, including the amount of the fees. How will they will be assessed and adjusted each year, and who will collect and process them? Why did you not include the proposed fees and an analysis that would indicate the potential impact on charities? The proposed upfront fee is directly counter to the goal stated in the Executive Order creating the campaign, “to *lessen the burdens of government and of local communities in meeting the needs of human health and welfare*”. (Executive Order 13563, Jan 13, 2011)

(The new regulations provide for campaign costs to be covered by an upfront fee that is nonrefundable and does not guarantee a specific level of return. This fee has not been set at any given amount as of yet, and goes against the formula that is already in place allowing for smaller charities to pay a smaller amount that is representative of the charitable contributions they receive. By designating a set fee, smaller charities will pay a much larger amount than is equitable to what they bring in, causing many small charities to not participate. This reduces the choice available to the federal employee and creates an undue hardship upon the small charities that have a particular vested interest in their respective local communities. By harming small, local charities the new regulations go against Executive Order 13563.)

2. Your plan calls for on-line pledging only. Since not all federal employees have access to business computers, nor does every agency share or have access to EEX/ or any other online pledge system, how are you going to ensure that every employee has the opportunity to support their favorite charity? What system/platform do you intend to use to support this?

(The online platform of giving is a great innovation and would surely reduce costs over time. Unfortunately, many employees are not provided access to business computers at regular intervals. In the North Texas region, an automatic transition to online pledging would cause 91% of the donations that were made from the previous campaign to disappear. If you factor in the fact that OPM is only allowing federal agencies to use the online platform they intend to SELL to other agencies, the amount of total contributions evaporates to almost 100% of donations being unacceptable under the new regulations. In addition, the platform that OPM intends to force onto other federal agencies has already been abandoned by several agencies because of complications.)

3. I see that you are eliminating paper pledge forms, what research has been completed to identify what the loss in revenue will be for those who prefer paper?

(As stated before, the move to an online only platform would have drastic effects on the CFC. Paper pledges afford federal agencies to have fundraisers that can contribute one-time cash or check donations, which would effectively go away with a solely online platform. In addition, this move goes directly against Executive Order 13563 by ignoring the Order to “select, in choosing among the alternative regulatory approaches, those approaches that maximize net benefits [including potential economic, environmental, public health and safety, and other advantages; distributive impacts; and equity].)

4. Statistically, campaigns without face-to-face messages of encouragement fail or result in significant reductions in gifts. What makes the CFC different? With a more centralized administration (thus remote leadership) how do you promise to retain the enthusiastic participation of employees?

(The proposed regulations seek to centralize all the local CFC campaigns under the direct management of OPM from Washington. This eliminates any local character for the CFC campaigns and also removes any direct relationships between local organizers and federal employees. This could have statistically huge ramifications upon campaign participation, specifically in organization and management of local campaigns. As a result, participation could drop and charitable giving would bottom out. By ignoring the quantitative AND qualitative effects upon campaign participation and consequently charitable giving, OPM has refused to obey Executive Order 12866 which designates federal agencies “shall seek views of appropriate State, local, and tribal officials before imposing regulatory requirements that might significantly or uniquely affect those governmental entities.”)

5. By running the campaign from just 2 regions, how can you guarantee that 100% of the federal employees can be reached and have the opportunity to donate?

(The local campaigns build, organize, and recruit volunteers for the CFC on an annual basis. The new regulations effectively eliminate local organization and centralize power and responsibility into the hands of the Office of Personnel Management. Executive Order 13563 states that federal agencies should “specify performance objectives, rather than specifying the behavior or manner of compliance that regulated entities must adopt”. If maintaining employee participation is the performance objective, then OPM has ignored EO 13563. If OPM simply wishes to consolidate power, then the federal employee and their rights are being ignored.

6. How much of a decrease in dollars/part does OPM anticipate from the regulation changes if they go through as proposed?

(The Office of Personnel Management has not provided the public with any calculations on how the proposed regulation changes could adversely affect charitable giving or the federal employee’s ability to choose where their charitable contribution may go. OPM has ignored Executive Order 13563 by not providing “to use the best available techniques to quantify anticipated present and future benefits and costs as accurately as possible.” If OPM has crunched these numbers, they have not provided them to the public, which violates the order “to promote open exchange”.)

7. New regulations appear to be focused solely on expense reduction - is OPM concerned with revenue?

(Once again, OPM has ignored EO 13563 by refusing to acknowledge, at least publicly, that there may be negative consequences to the proposed regulations. In addition, OPM has ignored its requirement to “measure, and seek to improve, the actual results of regulatory requirements”.)

8. How were local campaigns consulted during the creation and analysis of the proposed regulations?

(The commission that was created to investigate and ultimately propose these new regulations violated Executive Order 12866 and Executive Order 13563 by ignoring public input and responses, as federal regulatory agencies “shall endeavor to provide the public with an opportunity to participate in the regulatory process”. The commission actually has several of its meetings posted on YouTube where members of the commission are documented stating that the commission has proceeded as an insular body. The commission is quoted as stating that it needs outside voices and should not just be “inside baseball” talk. This is directly before they state whether or not the CFC should even be allowed to exist. It should be noted that this is the last meeting of the commission, not the first.)