

Executive Branch Ethics Commission  
**ADVISORY OPINION 07-2**  
February 23, 2007

**RE:** May the Office of Financial Institutions co-sponsor seminar with professional organization of state banking supervisors?

**DECISION:** Yes, within limitations.

This opinion is issued in response to your January 22, 2007 request for an advisory opinion from the Executive Branch Ethics Commission (the "Commission"). This matter was reviewed at the February 23, 2007 meeting of the Commission and the following opinion is issued.

You provide the relevant facts as follows. The Office of Financial Institutions ("OFI") wishes to co-sponsor a seminar entitled, "A Day with the Executive Director," with the Conference of State Banking Supervisors ("CSBS"). CSBS is a national organization that represents all state financial institution regulators. Membership is voluntary, and CSBS hopes this event will encourage banks to become members of CSBS.

The seminar will inform and update members of the regulated community about the scope of OFI's responsibilities, recent legislative activity, and local and national issues of interest to financial institutions. OFI's staff will complete most of the preparation for the event, and OFI employees will make presentations. You also expect to have a nationally recognized keynote speaker.

The event is tentatively planned for early May at a hotel in Louisville with a buffet lunch included. CSBS will charge all attendees a uniform fee. OFI plans to send invitations in late February to Kentucky bankers who are regulated by OFI. However, all fees collected and expenses paid will be handled by CSBS; no OFI staff or other state employees will handle monies collected, nor will OFI receive any proceeds. You ask for an opinion from the staff or the Commission on whether it is ethically permissible for OFI to co-sponsor the seminar with CSBS.

Based on a review of previously issued advisory opinions, it appears that OFI is not prohibited from co-sponsoring such an event with CSBS. The Commission cautions in those opinions, however, that an agency not solicit individuals or entities it regulates, or provide services or products to regulated entities for a profit.

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Thus, pursuant to Advisory Opinions 94-58 and 06-19 (copies of which are enclosed), OFI may allow financial institutions that are regulated by OFI to attend the "A Day with the Executive Director" seminar as long as the fee for seminar does not exceed the expense of providing it and thus does not profit OFI.

Further, since a fee is being charged to attend the seminar and the event is being held to encourage banks to join CSBS, OFI should not directly solicit financial institutions by sending invitations to the banking community, but may allow CSBS to send such invitations in accordance with Advisory Opinion 02-44 (a copy of which is enclosed). Such action will serve to avoid even an appearance of a conflict. OFI is not prohibited from handling the preparation for the event.

Sincerely,

**EXECUTIVE BRANCH ETHICS COMMISSION**

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By Chair: John A. Webb

Enclosures: Advisory Opinion 94-58  
Advisory Opinion 06-19  
Advisory Opinion 02-44