

MEMORANDUM FOR THE RECORD

January 24, 1996

To: Ethics File No. 3.1.6

From: Dennis J. Quinn, Designated Agency Ethics Officer

Subject: Ethics Advice to Mary McAuliffe Concerning Acceptance of Speaking Offer and Honorarium

Mary came to me last week wondering if she could accept an offer to give a speech on the subject of "McCarthyism" to a group of high school teachers at a summer institute sponsored by the George C. Marshall Foundation with the cooperation of the National Archives (see attached letter). The offer includes the reimbursement of expenses plus an honorarium of \$300.

The issue of accepting honoraria is currently unclear, since the Justice Department and the Office of Government Ethics have yet to issue clear guidance in light of *United States v. National Treasury Employees Union*, 115 S. Ct. 1003 (1995) and *Sanjour v. Environmental Protection Agency*, 56 F.3d 85 (D.C. Cir. 1995). Both these cases deal with the acceptance of honoraria and outside activities. I called our desk officer at OGE, who checked with the General Counsel's Office. She advised me that Mary could accept the speaking invitation, but that there will be no clear answer about honoraria for several months. She believes however, that Mary will be able to accept the \$300 when the official guidance is issued. I advised Mary accordingly, and asked her to check with me again in late June.