

Memo to Kermit:

We received a few news clippings about your lecture at the University of Maryland Law School earlier in the month, and I would like to raise a few issues with you.

As you know from the briefing that you received last year, the ethics regulations that govern the activities of government employees are complicated and not always intuitive. They are designed as much to address the appearance of an action as its substance. Although I do not know any of the details concerning the lecture that you delivered, I do know that the news accounts indicate that you were representing the Review Board and that a reasonable person might conclude that you received an honorarium. For this reason, it would have been prudent for you to have checked with the Board's Designated Ethics Officer (DEO), Dennis Quinn, before accepting the invitation. I am not suggesting in any way that you behaved in violation of existing regulations, but the only way to have been certain that you were not exposing yourself or the Board to criticism would have been for you to have requested a ruling from the DEO in advance.

Along the same lines, I wish you had alerted us to your lecture in advance so that we could have been prepared for any press or public inquiries that often follow such an event.