



City of Chicago
Richard M. Daley, Mayor

March 28, 1990

C O N F I D E N T I A L

Board of Ethics
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Executive Director
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Margaret Carter
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Suite 530
205 West Randolph Street
Chicago, Illinois 60606
(312) 744-9660

[REDACTED]

Re: [REDACTED]
Case No. 90017.A

Dear [REDACTED]

On March 8, 1990, you requested an advisory opinion from the Board of Ethics regarding the invitation you received from the E [REDACTED] to participate in X's [REDACTED] Program [REDACTED]. The two-day program, offered as an "effort to keep key civilian leaders informed of their local unit's contribution to the [REDACTED] mission and the national defense," includes a visit [REDACTED]

[REDACTED]. It is understood that all guests of the program are expected to pay their own personal expenses (above and beyond travel and program costs). Given your position with the City [REDACTED]

[REDACTED] you requested an opinion from the Board on whether or not your acceptance of this invitation would be permissible under the Ethics Ordinance (Chapter 26 of the Municipal Code of Chicago). Also, in a telephone conversation with Board staff on March 15, 1990, you stated that there are no contracts, leases or regulatory transactions before the City [REDACTED] involving X. [REDACTED]

ETHICS ORDINANCE PROVISIONS ON RECEIVING GIFTS:
The Ethics Ordinance (Chapter 26.2-4 of the Municipal Code of Chicago) prohibits a City official from:

- (a) accepting gifts from anonymous donors;
- (b) accepting gifts or benefits of any kind on the basis of a mutual understanding, either explicit or implicit, that such gifts



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will influence an official's actions in government;

(c) accepting gifts from persons who have an economic interest in a specific business, service or regulatory transaction with the City if the official is in a position to substantially affect this transaction. (This includes cash gifts of any amount and items or services worth \$50 or more.)

Under Section 26.2-4(d), City officials are explicitly permitted to accept hosting expenses, including travel and entertainment expenses, if:

- (1) accepting such expenses would not violate restrictions (a) and (b) above;
- (2) these expenses are "reasonable;"
- (3) these expenses are "furnished in connection with public events, appearances or ceremonies related to official City business;" and
- (4) these expenses are "furnished by the sponsor of such public event."

OTHER APPLICABLE PROVISIONS OF THE ETHICS ORDINANCE: Based on the statement you provided on the telephone on 15 March--that this trip will not be related in any way to any of your governmental decisions, and that it is in no way related to any matter pending before the City [REDACTED]--the Board finds that the provisions of the Ethics Ordinance dealing with conflicts of interest (Section 26.2-8) do not pertain to your request.

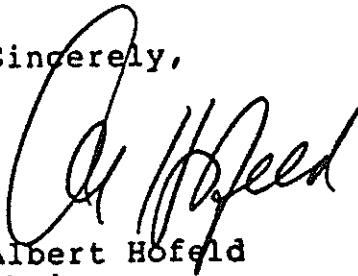
APPLICATION OF SECTION 26.2-4: Based on the facts you provided, the Board finds that your participation in the program would not violate Section 26.2-4 of the Ethics Ordinance. The sponsor of the event is not anonymous. There appears to be neither the opportunity nor the intent on the part of X [REDACTED] to influence any governmental decisions through this invitation. Based on the telephone conversation in which you stated to Board staff that there are no contracts, leases or regulatory transactions before the City [REDACTED] involving X [REDACTED], the Board finds there is no evidence that X [REDACTED] has any special economic interest in any transactions with the City of Chicago or that there is any intention to influence your decisions in relation to any transaction with the City.

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In conclusion, based solely on the facts you provided, the Board finds that the Ethics Ordinance does not prohibit your participation in this program, provided that: (1) you understand that no special influence, either explicit or implicit, in any present or future City transactions will result; and (2) if there are additional material facts or circumstances that were not available to the Board when it considered your case, you will report them immediately to the Board.

If you have any questions, please contact the staff of the Board of Ethics at 744-9660.

Sincerely,



Albert Hofeld
Chair

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