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[film clip showing Navy jet taking off from and landing on carrier]

Good Morning. Welcome to the 16th National Government Ethics Conference.

What you just saw was a transition. The beginning of a flight and the end of a flight. It required extensive training, the coordinated work of a large number of people, conscious acceptance of responsibility, and no small measure of courage and confidence. It did not lack drama.

The transition for which we are all preparing is different, but involves all of these elements. A Presidential transition officially begins with an election, but is already underway. Millions of Americans have no idea of the complexity involved in such a transition. Despite all of the media attention focused on the campaign and the election, as well as the pageantry of the inauguration, the details of landing one administration and helping a new one take flight are largely unappreciated by those not directly involved, but are critically important. And, whether this is your first transition or your fifth, you will be a participant.

Let's look at our own complexities.

- All of the ethics training you have provided to senior leaders will leave with them. You must start over with new leaders who may have little or no previous government experience.
- All of the financial disclosure work you did with senior leaders will end soon and must be restarted from scratch.

- You must emphasize the necessity and importance of establishing a strong ethical culture -- not just in words but in deeds -- to your new leadership. You must help them understand the importance of accurate and complete financial disclosure, and the transparency it produces, because new people may be resistant to it.
- Whatever positive relationship you may have developed with senior leaders in giving ethics guidance must be reconstructed with new people who may exhibit very different attitudes and personalities.
- New leaders may have no experience in running a large department or agency. They may come from the private sector or from academia and have held very different leadership positions.
- Many new leaders will not be accustomed to the intense oversight focused on them by the media, by Congress and by non-governmental organizations. They may not appreciate that NGOs enjoy what author Dick Martin has called “the luxury of obstinate single-mindedness.”
- Many new leaders will not be familiar with federal laws and regulations which both authorize their actions and constrain their discretion. Simply accomplishing something may not be as easy as they expect.
- Unlike in their previous positions, the choices they make will be subject more often to public criticism. Such criticism is likely to be unwelcome, but is protected by law.

.....And now here you come with your ethics portfolio.

These new leaders must see themselves as more than managers -- they must become leaders. But how does ethics fit into the picture? How does ethical behavior support leadership?

High public office should never be thought of as an occasion for self-congratulation or personal nest-feathering. It is service to the public. It is an honor, yes, but only so long as the service is ethical and honorable. The necessary linkage between ethics and leadership is hard for many people to grasp. It is more than an occasional mention in a newsletter or a speech. Ethical considerations must be woven into the decision making fabric of the organization. The very fact that senior leaders will be new to their jobs will enliven brigades of people, not only in Washington but all over. These people will want to advise, curry favor, establish social relationships, create the appearance of having influence, and position themselves as appearing to be close to the new leaders. That all of this will happen is inevitable. We must be concerned about how it is done.

Outside the government, fancy meals, expensive sports tickets, the use of one's positional influence, the blurry line between business and social engagements, the opportunities to make money with whispered information are common. A very intelligent new leader uninformed about government ethics principles can be very susceptible to influences that were thought previously to be a legitimate benefit of his or her position. This can lead to a public "ethics attack" which will damage the individual and the government agency he or she serves. There is nothing harder to do than carry out

responsibilities the public no longer trusts a leader to carry out. Your advice to new leaders must come early and be delivered with great emphasis.

One of the problems faced by a senior government official with wide discretion is that many citizens, perhaps without saying so, would see ethics only in actions they agree with. If they disagree with a government decision, they may be predisposed to assume an unethical taint to the decision. Many of the decisions government officials make are not decisions between good and evil. Often they are choices between one good and another, or prioritizing one good before another. Despite the persistent likelihood of criticism, taking such action is not unethical; indeed, the decision may simply reflect policy choices which many Americans might favor. We should not be too ready to accept criticism delivered in the language of ethics. As Professor Etzioni of George Washington University has said, we should not abuse the language of ethics, because to do so robs ethics of its moral force.

One of the least pleasant aspects of my own job is that I must listen graciously to every worn cliché about ethics in government -- "I know what government ethics is; it's an oxymoron. The government ethics office! You must be busy! Government ethics! Good luck!"

On the other hand, one of the most pleasant aspects of my job is to sit down with a smart and well-prepared group of young people who have thought about government service and ethics, who have seriously considered their questions, and who fire them at me. They have not become cynical. None of us should ever forget that people really do care about ethics in their government. If they sense its absence, it bothers them. What I

carry away from such conversations is that trust in government is as much an emotional construct as a rational one even among very intelligent people. .

Thorough and deliberate engagement in this transition process may be the most valuable service you render as a federal government employee. The transition is not like one soldier replacing another, or another pilot taking control of a familiar plane. The new leadership will not come from a consistent and systemic training program, but from a variety of venues and experiences that usually will not equip them with familiarity with federal ethics laws. Meaning no disrespect to persons I don't know, they will need government ethics "training wheels" as they begin their new roles. Their values have been formed in different experiences in the private sector, in government, in academia. You will not always be seen as a help. You will sometimes be seen as a burden. Get used to it! You are a help, an important one. How you handle yourselves over the next six to nine months will determine whether your leaders see you as helpful and that can produce results which will persist for years.

There will be those citizens who are too quick to criticize government ethics and unwilling to realize that because they may reflect policy bias or fail to comprehend complex ethical issues. There is often a false sophistication underlying an expression of distrust in government. I am always cautious of what I sense as an overuse of business models in government, but they occasionally have a place. Arthur Page, an AT&T board member, said that, "Businesses live by public approval, and, roughly speaking, the more approval you have, the better you live." The fundamental way to get approval, he said, "is to deserve it." I think this is true of government as well.

Stephen Covey wrote a book titled “The Speed of Trust: The one thing that changes everything.” He argues that trust is not just a “soft” social virtue, but a real hard edged driver of change, growth and innovation. He also says that trust is a function of both character and competence. Put another way, you won’t trust someone of good character to do something he is incompetent to do. Careful attention to ethics training, particularly for senior leaders is essential to such competence. He also quotes his father as saying, “You can’t talk yourself out of a problem you behaved yourself into.” Maybe that ought to be up on the walls of our offices and maybe of public affairs offices as well.

We here in this room have so much in common. We want to see the best government policies, not just the best funded ones. We want decisions made in government to be informed by the public interest, not invitations to skyboxes and golf outings. We want financial disclosure to be of such a quality that it not only informs the public but evokes trust from the public as well.

Do everything you can to avoid being “that office over there,” something separate and apart from the real work of your agency. If your access to senior leaders is restricted, there is a real probability that they may not see the risk before it becomes a problem. This may suggest a useful model for agency DAEOs: do not wait for problems. Be in a position to assess risks *before* they become problems.

Here are some of the risks:

Private sector managers often judge the extent of their authority by what their predecessor did, or by what their direct superior or the board of directors suggested they do. In the public sector, the duties of an official are more likely spelled out in statute or regulation and the money they can spend and the way they can spend it may be limited by

a budget they had no role in preparing. Misunderstanding these limits can result in conduct which can damage one's reputation for ethical conduct and the reputation of the agency. It is important to ascertain whether advice is being sought from appropriate legal and fiscal officials. This is not strictly speaking a duty of the ethics officer, but attention to it can reduce the likelihood of an ethical misstep. You may be one of the few people in a position to see the big picture.

New government leaders may perceive at an early stage that an Inspector General is only an officious threat to them. Actually, it would be a good idea for them to benefit from the institutional memory of an IG and become aware of where problems have arisen in the past. It may be useful for a new leader to review all IG recommendations which have not been acted upon by one's predecessor and actively decide whether action is appropriate. Similarly, a review of the subjects the IG has investigated over the past several years may indicate the need for policy or management changes which did not occur in the previous administration.

New government leaders may not be sensitive to the importance of official communications within a government culture. Frequent references to issues of integrity and ethical values should be woven into communications on a wide variety of subjects. If a leader hears of a problem in another department of government, a senior level manager should be assigned to assess how likely it is that the same thing could happen in their own agency. In a sense, *all* ethics news is good news. An example of bad behavior made known generally may be every bit as persuasive as a lot of positive ethics training. The trail of ethical problems left by the Abramoff scandal is a vivid reminder why ethics in

government is so important and how its absence can ruin the lives and reputations of so many.

New leaders may be innocently insensitive to the fuzzy line between hospitality and truly social occasions and the receipt of improper gifts of meals, tickets, and various benefits with a social gloss to them. This distinction is not nearly so important in the private sector and new leaders may understandably be ignorant of the government ethics implications. Once over the line, it is hard for an official to talk his way back to safety.

It is a difficult task for a new leader to understand the details of the chain of command. Responsibility and accountability are served by adherence to a chain of command. But, that is different from a chain of *communication*. New leaders should be sensitive to the possibility that a chain of command can be used to water down or suppress communication from junior employees who have the interests of the agency at heart. While there is no single solution to this problem, appropriate support by new leaders of both the ethics and inspector general functions can go a long way to see that information reaches the right level.

New leaders will serve at the pleasure of the President, but they should never forget that they took an oath of loyalty to the Constitution and that they work for the American people. That is an essential premise for ethical conduct. If you know who you are, to whom your responsibilities ultimately run, it will affect what you consider your duty to be. It makes it much easier to recognize an improper inducement, gift, or favor for what it really is. Government decisions should be informed by the public interest, not corrupted by the private interests of a few.

New leaders sometimes need to be reminded that there is a legitimate public interest in what their agency does. While the expression of such interest may be less tolerated in the private sector, poorly conceived resistance to expressions of public interest in the government sector will likely be perceived as unethical or at least motivated by an intention to conceal.

Be alert to hubris. It is unseemly in a public servant at whatever high rank. In the worst case it can corrupt ethical decision-making by conflating an official's own interests with the interests of the people he is supposed to serve and lead. There are many life experiences which can contribute to wisdom, but getting to ride in the back seat of a black sedan or flying in a private jet are not among them.

Finally, experience teaches us that over the next few years, and during your tenure as an ethics official, some leaders will make ethical errors that will tend to discredit them or their agencies or both. So, think in advance what you want to say to them before the opportunity for such errors arises. Cultivate opportunities for consultation with senior leaders. Be sure they learn of mistakes made elsewhere, whether in government or the private sector. You may not be able to fix every pothole, but you *can* point them out.

These are just examples of what you can do as an ethics officer, of what you can *be* for a new leader. What you don't want to be is an ethics officer forced by circumstance to rewind your work in your head and think "IF ONLY."

- If only I had given more attention to training the new leader;
- If only I had alerted the new leader to problems which have occurred before and in other agencies;

- If only I had cautioned the new leader that the public affairs office was pursuing policies more consistent with concealment than transparency;
- If only I had been less deferential to rank and stated the more difficult truth rather than withdrawing to the easier silence
- If only I had worked cooperatively with the inspector general to avoid problems rather than waiting for them to be discovered,
- If only I had been more alert to the public interest, if only I had better appreciated my own power to influence events.

Each of you is so much more than someone who handles ethics paperwork. You have the power to train, to educate, to inspire, to provoke thoughtful discussion, and to express the public interest. Use that power wisely and you will never have to think “**IF ONLY.**”