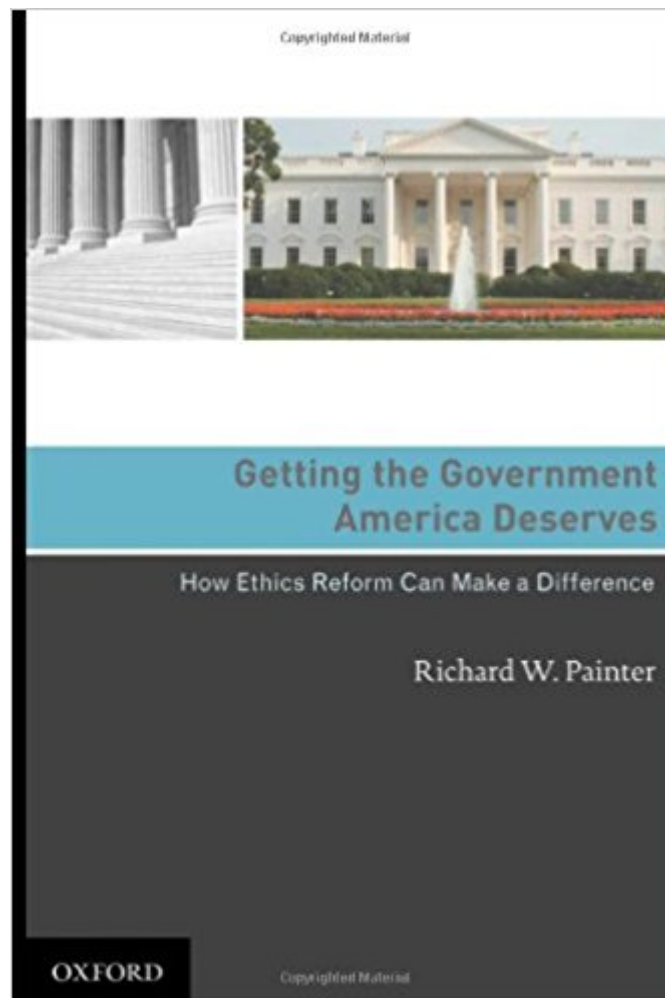




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Getting The Government America Deserves: How Ethics Reform Can Make A Difference



Synopsis

In order to be effective, federal ethics law must address sources of systematic corruption rather than simply address motives that individual government employees might have to betray the public trust (such as personal financial holdings or family relationships). *Getting the Government America Deserves* articulates a general approach to combating systemic corruption as well as some specific proposals for doing so. Federal ethics law is relatively unknown in legal academia and elsewhere outside of Washington, D.C., but it is binding on over one million federal employees. Lobbyists, federal contractors, lawyers and others who interact with the federal government are also deeply interested in federal ethics law and represent a surprisingly large market for a little-studied area of the law. *Getting the Government America Deserves* analyzes government ethics law from the perspective of an academic critic and that of a lawyer who was the chief White House ethics lawyer for two and a half years. Richard Painter argues that the existing ethics regime is in need of substantial reform since federal ethics laws fail to curtail conduct that undermines the integrity of government, such as political activity by federal employees and their interaction with lobbyists and interest groups. He also contends that in some other areas, such as personal financial conflicts of interest, there is too much complexity in regulatory and reporting requirements, and rules need to be simplified. Painter's solution includes strengthening the enforcement of ethics rules, reforming the lobbying industry, and changing a system of campaign finance that impedes meaningful government ethics reform.

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"Government ethics is an area of the law that is not written about by legal academics and lawyers as much as it should be; it influences everything from how billions of dollars of taxpayer money are spent, to who gets top political appointments and whether this country is at war or at peace. Richard Painter offers concrete ideas for distancing government officials from lobbyists, campaign fundraisers, trade associations and other special interests that can easily drown out the voices of ordinary Americans. His experience includes being the chief White House ethics officer during one of the most challenging times in our recent history. His book has an intriguing set of proposals to address issues that are critical for our country's future. He addresses root causes of corruption in today's government while recognizing that many people in public life want to serve the public rather than special interests." -Walter Mondale, 42nd Vice President of the United States

"Getting the Government America Deserves offers a comprehensive analysis and overview of ethics in government in early twenty-first century America. Melding practical experience at the highest levels and the knowledge and perspective gained from years of researching and teaching in the area, Painter provides a thoughtful perspective on crucial questions of accountability, transparency, and integrity in government. This is an original and important contribution that should be of interest to policymakers, attorneys, scholars, teachers, and anyone else who is concerned with how society should regulate the conduct of high-level government officials." -Geoffrey P. Miller, New York University School of Law

"Everyone is in favor of ethics, and particularly ethics in government. But once we move from the abstract to the concrete, agreement fades. Professor Richard Painter is in a unique position to contribute to the debate. He is a law professor, the author of several articles, and a book on legal ethics. He was instrumental in persuading Congress to require any lawyer who represents a corporation to report known fraud up the ladder to senior management, and if that does not work, to the client's board of directors. And, he was former ethics counsel for President George W. Bush. His new book, *Getting the Government America Deserves*, gives us an inside look at how President Bush dealt with issues of government ethics and what President Obama can learn from that experience. This is the book that every well-informed citizen should read. Professor Painter offers substantial concrete proposals to clean up corruption in Washington." -Ronald D. Rotunda, Chapman University School of Law

Richard Painter is the S. Walter Richey Professor in Corporate Law at the University of Minnesota School of Law. From February 2005 to July 2007, he was Associate Counsel to the President in the White House Counsel's office, serving as the chief ethics lawyer for the President, White House employees and senior nominees to Senate-confirmed positions in the Executive Branch. Professor

Painter is the author of the casebook, *Securities Litigation and Enforcement* (with Margaret Sachs and Donna Nagy; West, Second Edition 2007) and another casebook, *Professional and Personal Responsibilities of the Lawyer* (with Judge John T. Noonan, Jr.; Foundation 1997; Second Edition 2001).

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