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# Presidential Appointments: Recruiting Executive Branch Leaders

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The Constitution vests the "executive power" in the President and commands that "the laws be faithfully executed." In order to fulfill this constitutional responsibility each President appoints the major officers of the government. The ability of the government to carry out its primary function of responding to the wishes of its citizens through executing the laws depends crucially on capable civil servants. And the effectiveness of these civil servants in the executive branch is intimately linked with the quality of the leadership of the executive branch, that is, presidential appointments.

Each new president comes to office with the opportunity to appoint thousands of men and women who will help lead the executive branch. No individual could possibly make these selections alone, and so the Office of Presidential Personnel in the White House Office is the institution that assists the president in recruiting leaders for the executive branch. Career civil servants are recruited on a continual basis by the Office of Personnel Management and individual agencies, but the Office of Presidential Personnel is formed anew with each new president to recruit leaders for the top levels of the executive branch.

So the first duty of the Office of Presidential Personnel is to help reformulate the leadership levels of the executive branch, a crucial task in serving the nation. Despite the transient nature of political appointees, the enduring task of leadership must be renewed with each new president if the government is to function effectively. The first section of this chapter will examine the development of the recruitment function in American government and the institutionalization of the Office of Presidential Personnel over the past 50 years. OPP did not exist in 1960; by 1981 more than 100 people worked for it.

In addition to serving the Presidency, the Office of Presidential Personnel also serves individual presidents. Each president wants to mold his or her administration so that it will pursue the policy agenda of the president and reflect the values of the coalition that put the president in office. This task calls for close attention to the wishes of the individual president not merely to recruit the individuals the presidents personally knows and wants to appoint, but also to seek out those individuals who share the president's values and have the skills, character, and experience to carry out the president's policy directives. The second section of this chapter will explore the role OPP and its relationship to the president in recruiting presidential and other political appointees. Third, the OPP has important obligations to the Americans whom it is trying to recruit to serve the nation and work for the President. The presidential nomination and appointments process is complex, conflictual, and difficult. Evidence collected by the Presidential Appointee Initiative shows that many presidential nominees, despite their enthusiasm for coming to work in Washington, are less than enthusiastic about the way they have been treated in the process of presidential nomination and confirmation by the Senate. The third section of this chapter will examine the appointments process from the perspective of the nominees and suggest ways that their experience might be improved in the future.

# I. The Office of Presidential Personnel: Serving the Nation

# A. The Institutionalization of the Office of Presidential Personnel

Although all presidents had made thousands of political appointments through the years, until mid twentieth century they did not have the personal staff to effectively make many personal choices of these appointees. As presidents began to assert more personal control over appointments, they increased their own institutional capacity to recruit their own nominees for positions in the government. The creation of this institutional capacity began slowly, and only gradually superceded the traditional dominance of the political parties.

President Truman was the first president to place one person, Donald Dawson, in charge of advising him on the making of appointment decisions; Dawson had one assistant. Dawson's main activities were clearing candidates for office, placing them in specific positions, and managing patronage by coordinating placements with the Democratic National Committee.<sup>i</sup> He did not have the capacity to operate independently of the Democratic Party, but it was the beginning of developing presidential independence.

President Eisenhower did not believe that patronage in a partisan sense should play a large role at the top levels of American government. He had been a professional military officer for his career and was suspicious of turning over important government responsibilities to people whose main qualification was loyal service to the party. Ike appointed Charles Willis, who had founded a nonpartisan group to draft Eisenhower, to be his aide for political appointments rather than a Republican regular.

But despite the President's personal distrust of patronage, the pressure from the Republican Party for jobs was considerable after twenty years of Democratic control of the government. The Republican National Committee complained that the new administration was not sensitive to the needs of the party faithful. These pressures were so great that the control of patronage was brought into the White House under the control of Eisenhower's chief of staff, Sherman Adams. In addition to a heightened sensitivity to Republican patronage, shortly after his inauguration in March of 1953, Eisenhower created through executive order, a new class of political appointments, Schedule C positions. These were to be at lower than exeucutive levels and to be "policy determining or confidential in nature." About 200 positions were created by this order, though subsequent presidents would increase this number. By Eisenhower's second term the need for more White House control was indicated by the creation of the position of

"Special Assistant for Personnel Management."

When John Kennedy was elected, he did not want to turn recruitment for political appointments over to the Democratic National Committee and designated his aides in the White House to handle political personnel. His campaign manager, Larry O'Brien, along with several other staffers took care of placing political loyalists who had supported Kennedy in the campaign as well as managing patronage more broadly. But Kennedy wanted to fill the top levels of his administration with "the best and the brightest" and created a "talent hunt" that was headed by a separate team under Sargent Shriver. They would not merely screen applications that came in but would reach out to find talented people who were committed to Kennedy's "New Frontier" policies. As Kennedy aide Dan Fenn explained it, they wanted to avoid the syndrom of the usual approach to staffing an administration: "BOGSAT," that is, "a bunch of guys sitting around a table" asking each other "whom do you know" that would fit this position.<sup>ii</sup>

When Lyndon Johnson took over, he continued Kennedy's practice of putting his own aides in charge of political personnel. He asked John Macy to come to the White House and run his recruitment operation at the same time that Macy was chair of the Civil Service Commission. Macy spent mornings at the Civil Service building and afternoons and evenings at the White House helping Johnson select presidential appointments. Macy expanded the political personnel staff from four to seven professionals and began to use computers to organize job files.<sup>iii</sup>

Richard Nixon ran a campaign that was not dependent on the Republican National Committee and intended to run his White House with his hand picked-supporters. His first transition personnel operation was run by Harry Flemming who sent out a mailing to those listed in *Who's Who in America* to solicit names of potential appointees. The exercise was a disaster when the personnel operation could not handle, much less answer, the avalanche of mail that came in. After the inauguration, the personnel operation was taken over by Peter Flanigan who had fifteen staffers working for him initially. But the ability of the White House to control presidential appointments was undercut by President Nixon's initial intentions to have his cabinet secretaries pick the best people for their departments rather than tightly controlling appointments from the White House.

But Nixon soon became disillusioned with his "cabinet government" approach to political appointments and felt that his cabinet secretaries were not implementing his priorities and that they were choosing appointees who were loyal to them but not necessarily to him. So in 1970 he brought Fred Malek to the White House from his position at HEW to run the political appointments process. Malek intended to create a "professional executive search capacity" in the White House and felt that the operation before he got there was primarily reactive rather than seeking out the best executive talent. "[W]hat they were doing then was more dependent on what came in over the transom through the political system. They were not clearly delineating the nature of a job, the requirements of a job and then going out and searching through society to find the best candidates for that kind of job, to meet the criteria. So we established a professional team of executive recruiters and endeavored to find the best people."<sup>iv</sup> Malek eventually had 30 to 40 staffers working in the White House Personnel Office.

Jimmy Carter began his personnel operation in the summer of 1976. Carter had decided to take his possible transition into office seriously, and since he did not have Washington experience, he decided to set up a transition team in Atlanta. One of the main tasks of the transition operation was to create a "Talent Inventory Program," (TIP) to prepare lists of possible appointees to political positions. The operation in Atlanta, headed by Jack Watson, collected thousands of resumes for cabinet and subcabinet positions. But much of the preparation work that they did was ignored once Carter was elected because the campaign, under the direction of Hamilton Jordan, felt that campaign workers had been excluded from serious consideration. In the battle following the election, Jordan won.

But even if all of the work of the TIP operation had survived intact, it would probably not have made a major impact on presidential appointments, because of President Carter's commitment to "cabinet government." Part of his approach to governance was to delegate to cabinet secretaries broad authority to select their subcabinet subordinates. The problem with this approach was that in setting policy for the administration, cabinet secretaries were not always as supportive of White House policy direction as Carter had expected, and many of the subcabinet appointees were more loyal to their immediate superiors than to Carter. Initially Jim King, who had worked in the Carter campaign, was the director of Carter's Presidential Personnel Office and he had a full time-staff of 28.<sup>v</sup>

In 1978 President Carter decided to abandon his cabinet government approach and brought Tim Kraft and then Arnie Miller in to tighten White House control over presidential appointments. According to Miller the Carter White House "had given away the store and they wanted to take it back...He gave away hiring. I was brought in to take it back."<sup>vi</sup> Miller began to take control of the appointments process, but it was half way through the administration, and as John Ehrlichman was fond of saying, 'once the toothpaste is out of the tube, it is very difficult to get it back in.'

Ronald Reagan decided to take a deliberate approach to political appointments, and in April 1980 Ed Meese asked Pendleton James, a professional headhunter, to begin planning personnel operations for a possible Reagan administration. Mindful of the frustrating experiences of Presidents Nixon and Carter, the Reagan Administration decided to control all political appointments tightly in the White House. In contrast to previous administrations this would include political appointments below the presidential level and would include non-career Senior Executive Service and Schedule C appointees. To emphasize the importance of political appointments, James was given the title "Assistant to the President for Presidential Personnel" and an office in the West Wing of the White House, two important precedents. In order to handle the large volume of appointments and tighter scrutiny, the size of the Office of Presidential Personnel was expanded considerably, and James had about 100 people to assist him. The Reagan personnel operation was the most thorough and sophisticated approach to date.

President Bush continued to maintain control of political personnel in the White House through Chase Untermeyer, his director of the Office of Presidential Personnel. The tight White House control was loosened a bit and more leeway was given to cabinet secretaries over nonpresidential political appointments, but the principle that all political appointments were at the president's discretion was enforced.

Bill Clinton's transition efforts were centered with the president-elect in Little Rock, but his political personnel operation was at the Washington end of the transition. Including volunteers and professionals, the total working on personnel operations approached 300 people.<sup>vii</sup> The operation handled a huge volume of applications and resumes, aided by new scanning and computer technology. But the personnel efforts were hindered by a disruptive turnover in leadership. Clinton appointed Richard Riley to head the personnel operation, and Riley conscientiously consulted his predecessors about how best to handle the duties of heading OPP. But soon after his appointment, Clinton designated Riley to be his Secretary of Education. Clinton then appointed his aide, Bruce Lindsey, to be his head of political personnel, but Lindsey was also handling other important duties for Clinton, and the appointments process suffered. In January he turned to Veronica Biggins, an Atlanta bank executive, to head up presidential personnel. In March 1993 the Office of Presidential Personnel had about 100 people working in it, though by summer of 1993 that had been cut in half and was down to 35 by the end of September.<sup>viii</sup>

Thus the presidential recruitment function was transformed in the second half of the twentieth century. It developed the following characteristics:

\* The political parties which had dominated presidential appointments for the previous century had gradually been replaced by an increasingly professionalized executive recruitment capacity.

\* This capacity, which began with one person in charge in the Truman administration, was gradually institutionalized in a potent and permanent place in the White House Office headed by an aide with the title of Assistant to the President.

\* The reach of the Office was extended not only to presidential appointment (PA and PAS) but also to what are technically agency head appointments (non-career SES and Schedule C positions).

\* The size of the office grew from six people in the Kennedy Administration to more than 100 staffers at the beginning of the Reagan and Clinton Administrations.

# B. The Slowing Pace of Appointments

Part of the cause of this institutionalization was the increasing number of appointments that are handled by the Office of Presidential Personnel. And an important consequence of these increasing numbers is a significant slowing of the appointments process. Both of these developments have had negative consequences for the presidency and the national government.

While seeking out potential appointees for the highest-level appointed positions like cabinet secretaries, agency heads, the subcabinet, and regulatory commissioners is a challenge in its own right, the task of the Office of Presidential Personnel is quite a bit broader. There are many other presidential appointments that OPP must also recruit. These include full time positions on commissions as well as ambassadors (185), U.S. district attorneys (94), U.S. marshals, (94), and others. The total full time presidential appointments requiring Senate confirmation equal 1,125.

In addition to presidential appointments, lower-level political appointments are available to each administration to help implement its priorities. These include non-career appointments in the Senior Executive Service (created in 1978) which can amount to 10 percent of the total career SES of around 7,500. The non-career SES presently number about 720. Schedule C positions, first created in 1953, now number 1,428. These latter two categories of political positions are technically appointed by cabinet secretaries and agency heads. But since the Reagan administration, they have been controlled by the Office of Presidential Personnel. While non-career SES and Schedule C appointments are not as important as presidential appointees, their screening and control by OPP creates a significant additional burden on the office.

While the above appointments are directly concerned with the leadership and control of the executive branch by the president, OPP also advises the president on several thousand parttime appointments, many to boards and commissions that may meet several times a year. The total of part-time PAS positions at the president's discretion is 490, and the number of presidential appointments not requiring Senate confirmation is 1,859.

Regardless of how one counts or which categories are included, the number of political appointees has increased considerably over the past fifty years, and the OPP faces a considerable challenge in helping the president fill the positions. Even though in the 19<sup>th</sup> and early 20<sup>th</sup> century, the number of appointees, including postmasters, customs inspectors, and other field positions was considerably greater than present numbers, those positions were filled as patronage by political parties. Now the positions are used directly to provide leadership for the executive branch, require significant skills, experience, and expertise, and are controlled by the president through the OPP.

Given the increasing numbers of political positions and the increasing scope of coverage of the OPP, it is not surprising that the pace of appointments has slowed considerably in the past four decades. One indicator of the difficulty that recent presidents have had is in the total nominations and appointments that recent presidents have been able to make in the first year of their presidency.

Carter (1977)	Reagan	(1981)	Bush (	(1989)	) Clinton	(1993)	)

All PAS appointed	637	662	432	499
Total nominations	682	680	501	673

[Source: Executive Clerk to the President. From James P. Pfiffner, *The Strategic Presidency: Hitting the Ground Running*, 2<sup>nd</sup> ed. (Lawrence, KS: University Press of Kansas, 1996), p. 168.]

The slower pace of the Bush Administration is explained by the fact that his was a "friendly takeover." That is, he was taking over after eight years of the Reagan Administration, with political positions filled with loyal Republicans and no need to rush appointments. In contrast, if there is a party turnover transition, the top levels of the government will be vacant, and there is an urgent need to fill the positions with the new president's appointees. Despite this need, recent administrations have been taking longer to get their people on board.

From the perspective of individual nominees and their experience, the process is often frustratingly slow. The Presidential Appointee Initiative asked presidential appointees how many months it took them from the time they were first contacted by the White House to when they were confirmed by the Senate. Evidence for the slowing process can be seen by comparing the experience of those appointees from 1964 to 1984 with those from 1984 to 1999.

Length of Process

	1964-84	1984-99
1 or 2 months	48%	15%
3 or 4 months	34	26
5 or 6 months	11	26
More than 6 months	5	30
Ν	532	435

[Source: Paul C. Light and Virginia L. Thomas, "The Merit and Reputation of an Administration," (Washington: Brookings, 2000), p. 8.]

Another way to demonstrate the increasing time necessary for a new administration to get its appointees on board is by comparing the past three administrations.

Length of Process by Administration

	Total	ReaganBush		Clinton
1-2 months	15%	21%	23%	7%
3-4 months	26	36	25	21
5-6 months	26	29	24	26
More than 6 months	30	11	25	44
Ν	435	107	127	201

[Source: Paul C. Light and Virginia L. Thomas, "The Merit and Reputation of an Administration," (Washington: Brookings, 2000), p. 8.]

In trying to explain the slowing pace of presidential appointments, the increased numbers of positions and increasing scope of OPP are the primary, but by no means the only, factors involved. Since 1978 there have been a number of ethics laws that have tightened requirements for holding high positions in the government and requiring the disclosure of financial information. Nominees often have to hire consultants to help them, and it takes time to get all of the forms filled out. With scandals in recent administrations, those who vet nominees have become more cautious and take extra time to make sure that there are no skeletons in the closet of potential nominees. This caution has rubbed off on the FBI which does background investigations. They do not want to miss something important, and so they take extra care and time to do their investigations. The resources and personnel of the FBI are stretched thin at the beginning of each administration in order to do hundreds of clearances simultaneously.

The above factors affect any administration coming into office, but the priorities of an individual president may also increase the time between inauguration and completing top level appointments. The Reagan Administration took extra time to find nominees who were ideologically compatible with the administration's goals. The Clinton Administration took extra time to ensure that there was gender and racial diversity in its appointees. If the president wants to be personally involved in a large number of lower-level nominations, as did President Clinton and Mrs. Clinton in 1993, it will take longer. The size of the OPP staff is also a factor. While there have been sufficient numbers early in recent administrations, the Clinton OPP was sharply reduced in size by the summer of 1993, which contributed to a slower process.

The slowness of the process hurts an administration by keeping it from fully pursuing its policy agenda throughout the government. Presidential appointees need to be present, not only at the very top, but also several levels down (to the assistant secretary level) in order for policy change to be pursued effectively either within the executive branch or through legislation. Even relatively routine administrative actions, such as procuring information technology or office space, need to have the approval of political levels. Career civil servants are quite capable of doing the analysis, but they hesitate to move very far before their new political superiors are on board.

For instance when President Clinton proposed the controversial "gays in the military" policy early in his administration, only a few appointees were on board at the Pentagon. It would have helped if he had appointees down at the assistant secretary level to explain and defend his policy to the career military officers whose support was crucial to implementation of the policy. By the end of June of 1993 only ten of 24 Defense PAS positions had been filled, and of the 22 positions in the armed services, only one had been confirmed.<sup>ix</sup> By December 12, 1993, the Department of Defense had 19 of 46 jobs filled.<sup>x</sup> By April 28, 1993 the Clinton Administration had more than three top officials in only two of the fourteen cabinet departments, and in seven of the departments only the secretary had been confirmed.<sup>xi</sup>

### II. OPP Serving the President

The first job of the OPP is to advise the president in matching the right nominee with the right position, but this is not a simple task for several reasons. The personnel office must be ready to go the day after the election, so advance planning is crucial, but often neglected in the pressure of the campaign. The onslaught of office seekers will hit immediately, and the OPP must be ready to handle the volume with some political sophistication. A process must be set up that strikes the right balance between the president's personal attention and the need to delegate much of the recruitment task to OPP. Intense pressure for appointments will buffet the process from the campaign, the Hill, interest groups, and the newly designated cabinet secretaries. Perhaps most importantly, the newly elected president's policy agenda will not be fully implemented until most of the administration's appointees are confirmed and in office. This section will examine each of these challenges in turn.

#### A. The Initial Onslaught and the Need to Plan

While the number of positions that can be filled by each new president amounts to the several thousand specified above, the number of applicants for those positions is many multiples of the number of positions available. Presidential campaigns generate enthusiasm for the winner, and people are not reticent about offering their talents to the new administration. Most of these offers come in "over the transom," that is, not solicited by the administration. The deluge begins the day after the election (and sometimes even before), and OPP must be ready to handle the flood of paper.

Thus pre-election preparation is crucial, but risky. The risk is that the press will get wind of personnel preparation and try to find out who is being considered for which posts. If word gets out, public attention shifts from the campaign, and campaigners get suspicious that the planners are dividing the spoils of victory before the victory is even won. This was the case in 1976 when Jimmy Carter, running as an outsider, set up a transition planning operation in Atlanta. The planning was a wise move, but it was not sufficiently coordinated with the campaign. After the election Hamilton Jordan, who had run the campaign, made sure that the transition planning "Talent Inventory Program" did not dominate the appointments process. Thus much of the planning work was lost and time was wasted in the in-fighting to settle the battle.

President Reagan thought that personnel planning was so important that Edwin Meese asked Pendleton James to begin planning in April of 1980, even before the nomination. James had personnel experience in the Nixon Administration as well as having worked as an executive search professional in private practice. Meese was in charge of both the campaign and the transition operation, so the conflict that marked the Carter transition was absent, and the planning was done entirely in secret, so the press did not generate rivalries within the Reagan camp. President Bush asked Chase Untermeyer to be his personnel director, but told him not to begin any organization or even to find a deputy until after the election. The fact that the 1988-89 transition was a "friendly takeover" (though not without conflict) mitigated the need for speed in filling positions because they were occupied by Reagan Republicans. Bill Clinton allowed some transition planning, but conflict over who would head the transition after the election nullified much of the planning effort that had been undertaken.

Former presidential recruiters attest to the need for the personnel operation to be ready to go immediately. Arnie Miller, President Carter's recruiter, characterized the pressure: "That avalanche, that onslaught at the beginning, that tidal-wave of people coming from all over the country, who've been with a candidate for years, and who have been waiting for this chance to come in and help."<sup>xii</sup> According to Pendleton James, "...presidential personnel cannot wait for the election because presidential personnel has to be functional on the first day, the first minute of the first hour....personnel can't take ten days."<sup>xiii</sup> "The guys in the campaign were only worried about one thing: the election night. I was only worrying about one thing: election morning."<sup>xiv</sup>

By the inauguration in 1989 about 16,000 resumes had come into the Bush transition operation, including a ten-foot stack of 1,500 resumes from the Heritage Foundation. After the inauguration, there was no let-up, and by the end of May more than 70,000 applications and recommendations had been received, though Chase Untermeyer allowed that eliminating duplicates reduced the total to about 45,000, a staggering amount of paper. During the Clinton transition the personnel operation had received 3,000 resumes by the end of their first week, and by February 1993 they were receiving 2,000 per day.<sup>xv</sup> According to Robert Nash, OPP director for President Clinton, the OPP computers contained 190,000 resumes in the last year of the administration.<sup>xvi</sup> Even though many of them were not solicited or from serious candidates, the numbers are daunting.

Part of the problem is that, while many of these applications for jobs are unsolicited and come from people who are clearly unqualified, some of them come from people with powerful sponsors, especially in Congress. So the people reading these letters must have the political sensitivity to be able to judge when the recommendation from the Hill is serious and when it is merely a courtesy sent to please a constituent. Then the appropriate letter must be generated to reply to the member. There also has to be someone who will recognize if the applicant is an old friend of the president and thus needs to be taken seriously.

Presidential Personnel staff can also expect that they will be personally pursued by eager office seekers. PPO deputy director in the Bush Administration, Jan Naylor Cope recalled that at a Washington social occasion at a hotel that an eager office seeker pursued her into a stall in the women's room in order to present her with a resume. She was also approached in restaurants and in church by office seekers.<sup>xvii</sup> Veronica Biggins, OPP director for President Clinton, recalled that she was looking forward to a break from work and went to a lunch with a friend. But when she arrived at the restaurant, the person had "a stack of resumes" to discuss. "There is no such thing as friendship when you are indeed Director of Presidential Personnel," she concluded.<sup>xviii</sup> Edwin Meese recalled that during the Reagan transition he was at the funeral of a relative, and three resumes were thrust upon him.<sup>xix</sup>

The transition personnel operation is thus operating at full speed throughout the transition, but it shifts into official gear immediately after inauguration. Names of nominees can

now be sent to the Senate for confirmation. Cabinet nominees will probably have been screened by the Senate and may be confirmed shortly after inauguration, but OPP will now officially be sending other nominations to the Senate.

# B. Personal Presidential Participation in the Recruitment Process

By the time of inauguration, the president and OPP will have had to set up a process for final decisions on potential nominees. Separate procedures will have been set up to have potential nominees vetted by the Counsel's office for conflict of interest, cleared by FBI investigations, and checked for taxes paid through the IRS. But the substantive vetting and judgment about candidates is the job of OPP and the president. Some presidents have been closely involved in the process of selecting nominees, and some have largely delegated that task to the director of OPP and the chief of staff.

Presidents Johnson was closely involved with the selection process and took personal interest in individual selections. John Macy, also chairman of the Civil Service Commission at the time, said that Johnson "was deeply involved in a large number of appointments. He had a fantastic memory, and he could recall some detail on a summary that we would send him, months and months afterwards...."<sup>xx</sup> President Ford was also actively involved personally in recruiting appointees for his administration. His personnel recruiter, Douglas Bennett, had three regularly scheduled meetings with President Ford each week, sometimes alone and sometimes with the chief of staff.<sup>xxi</sup> William Walker when he was head of recruitment met with President Ford for an hour every Tuesday and Friday afternoon.<sup>xxii</sup>

Presidents Nixon, Carter, and Bush preferred to work from paper memoranda and most often approved the recommendations of their OPP directors in conjunction with the chief of staff. Fred Malek developed a professional personnel recruitment operation, but saw President Nixon personally only about once a month. He and Chief of Staff H.R. Haldeman would come to an agreement, and most often had their recommendations confirmed by the President.<sup>xxiii</sup>

President Carter also preferred to work off paper. That is, he would read memoranda and reports in detail and respond on paper rather than wanting to discuss potential appointees personally. According to Arnie Miller, "We had a similar problem with Carter really only reading memos — five or six on appointments every night."<sup>xxiv</sup> Miller sometimes wanted the President to personally ask a prospective nominee to take the job, but "I couldn't get Carter to ask."<sup>xxv</sup>

Chase Untermeyer observed that "presidents often hate personnel" recruitment and that once he and chief of staff John Sununu agreed on a nominee that President Bush would virtually always go along with their recommendation.

...under the arrangement we had with President Bush almost never were there meetings in the Oval Office talking about personnel....It was all done by paper. President Bush would see a memo recommending somebody with initials from John Sununu and me. In 99.9 per cent of the cases he then signed it.<sup>xxvi</sup>

Occasionally Untermeyer would talk with the President on the phone about a nominee, but not on a regular basis.

One of the most organized personnel operations was set up by Pendleton James in the early Reagan Administration. Those involved in deciding on presidential nominees agreed on an explicit set of criteria that each nominee would have to meet. They included: 1) a philosophical commitment to the Reagan agenda, 2) unquestioned integrity, 3) the toughness necessary to take political buffeting, 4) the necessary competence to handle the position, and 5) being a "team player."<sup>xxvii</sup> Once a name was being seriously considered for recommendation to the president, it had to go through a set of check points to ensure that anyone who had serious reservations about a candidate could register them. The process included the OPP, the departmental secretary, the troika (of Edwin Meese, James A. Baker, and Michael Deaver), the counsel's office, legislative liaison, Lyn Nofziger's political shop, and the domestic or national security adviser.<sup>xxviii</sup>

James met with the troika daily at five pm to go over candidates. Finally, James sometimes with others of the troika - met with President Reagan every Tuesday and Thursday at three pm for final decisions on nominees. Each candidate would have a four-page file. The first page described the position and the qualifications needed in the official. The second page contained a summary of the candidates' qualifications; sometimes there were several candidates. The third page would have a summary of recommendations for the candidates from important politicians. The final page would list the people who had been considered but rejected by the recommenders.<sup>xxix</sup>

President Clinton's personal involvement, along with the First Lady's influence in political personnel selection, slowed the Clinton personnel operation considerably at the beginning of the administration. Cabinet members would complain about appointments languishing at the President's in-box.<sup>xxx</sup> Although it is clearly the prerogative of the President to be personally involved, after all these are presidential appointments, the process may work more smoothly if the president delegates much of the winnowing process to his OPP, reserving the final choices to himself.

Later in his administration President Clinton scaled back his personal involvement in selecting nominees. When Robert Nash came back to be director of OPP in 1995 President Clinton told him "I want you to find capable, competent people who believe in what I'm trying to do for this country and I want it to look like America." Nash said that he did not talk much with the President about nominees but that he coordinated with the chief of staff. "My decision memos go to the Chief of Staff's office...and then from the Chief of Staff's office to the President."<sup>xxxi</sup>

Given the range of relationships between the President and the chief personnel recruiter, there is no one best way to structure the process. Presidents have different personal preferences, and the processes should be set up to serve the president. Several principles, however, should be kept in mind in order to best serve the president. First of all, the role of the director of OPP

should be that of a neutral broker, a person who does not have personal policy preferences that he or she is trying to foster. Pendleton James argues that the person should have certain attributes:

...confidence of the President, an honest broker, stays in the job, has no hidden agenda, understands the President and his philosophy, what he wants to accomplish, what his goals are. You really have to know your president because you want to bring in men and women who are there to carry out his agenda, his team, his approach, his philosophy.<sup>xxxii</sup>

Next, the process has to impose a discipline on recruitment so that there is one central control point and that all nominees have gone through the same screening and coordination steps. According to James: "You've got to control the process. The appointment process is a nightmare because you have coming at you from all angles the President, his senior staff, senior colleagues, friends of the President — they're all coming forward. You've got to avoid being blind-sided."<sup>xxxiii</sup>

James illustrated the problem of end runs with a story of President Reagan being approached at a social occasion to make a certain appointment, and he agreed on the spur of the moment. It turned out that the person had not supported Reagan in the campaign and that the personnel operation had another person who was just as qualified and had supported Reagan strongly. "But what that taught the President is that he's going to be end-runned all the time. He's going to be at parties, cocktails, dinner and somebody is going to say, 'You haven't appointed the assistant secretary of wildlife. My brother-in-law would be good in that job.' So Reagan would say, 'Sounds good to me. Put it in the process'."<sup>xxxiv</sup> Arnie Miller complained that in the Carter Administration the credibility of the personnel operation would be undercut by other White House staffers attempting to place certain candidates outside the process, but that "We were able to finally put a lid on that...."<sup>xxxv</sup>

The point is that all recommendations for appointments (including the President's) should be coordinated through OPP so they can all come under the same scrutiny and vetting. Then the president can make a fully informed decision. If discipline is not enforced from the top down, the process will be end-runned, and the President will not be well served. Thus one of the major functions of the OPP is to buffer the President from personal pleading for positions. If there is a personnel request to the President, he should direct it to OPP. If the President short circuits the process and decides himself without using the process, he will soon be overwhelmed by office seekers. Using OPP as a buffer does not take away the President's personal right to decide, it merely puts personnel decisions into an orderly process.

Constance Horner summarized the elements of a successful OPP operation:

Advance Planning. Delegated authority for decision making in the personnel realm as well as some others. Clear lines of authority. No ambiguity about who is making the decisions. Even though you can have multiple locuses of decision making they have to be clearly in power so everyone knows the rules. It sounds very banal to say it, but prioritizing....The thing is it all has to be done simultaneously and immediately. That's

the problem. There's no way you can sequence these things."xxxvi

The challenge of OPP is to set up a system that allows the President to be as personally engaged in personnel selection as desired, but which lifts as much of the burden as possible. The wise president will set the tone and determine the criteria for selection, but will delegate most of the footwork to OPP.

# C. Conflict over subcabinet appointments

#### 1. Pressures to Appoint the Party Faithful

Political patronage has a long and colorful history in the United States. The purposes of patronage appointments are to reward people for working on the campaign and for the political party, and also to ensure that the government is led by people who are committed to the political philosophy and policy agenda of the president. As long as these purposes are consistent with putting qualified people in charge of government programs, there is no problem.

But from the perspective of the OPP, pressures for patronage are frustrating. Pressures for appointments come from all sides: the campaign, the political party, self-initiated job seekers, and from Congress. Everybody, it seems, wants to ride the president's coattails into Washington jobs. According to Pendleton James, "The House and Senate Republicans just start cramming people down your throat."<sup>xxxvii</sup> After the election of President Nixon, Senator Robert Dole complained that the administration was not making enough appointments of candidates proposed by members of Congress. He sarcastically proposed that when congressional Republicans wrote letters to recommend appointments to the White House they include the line, "Even though Zilch is a Republican, he's highly qualified for the job."<sup>xxxxviii</sup>

President Carter was criticized by the Democratic National Committee and by members of Congress for not appointing enough of the party faithful to his administration. Carter's memoirs reflect his frustration over the pressures for political appointments:

"The constant press of making lesser appointments was a real headache. Even more than for Cabinet posts, I would be inundated with recommendations from every conceivable source. Cabinet officers, members of Congress, governors and other officials, my key political supporters around the nation, my own staff, family and friends, would all rush forward with proposals and fight to the last minute for their candidates."<sup>xxxix</sup>

The problem was that Carter was not using his OPP as a buffer in his early months in office. Insofar as the president can channel pressures for jobs to his OPP, he is under less immediate pressure to make a decision. When the candidate and position has been run through the OPP process, he can make a fully informed decision with confidence. Lyndon Johnson used John Macy's personnel recruitment system as a buffer. When he was pressured for patronage appointments, he would say, "I am doing this through the merit route." And when someone was displeased with a particular appointment he would say, "Don't blame me. It's that goddamn Macy - he insists on merit."<sup>x1</sup>

### 2. Pressures from the Cabinet

In every administration there will be tension between the White House and cabinet secretaries over the selection of subcabinet appointees. From the White House staff perspective, these are presidential appointments and should be controlled by the White House. From the cabinet secretary's perspective, these appointees will be part of this or her management team, and the secretary will be held accountable for the performance of the department. From this perspective substantial discretion should be delegated to department heads. Cabinet secretaries also suspect that the White House OPP is more concerned with repaying political debts than with the quality of subcabinet appointments.

In the 1950s and 1960s most subcabinet appointments, even though they were presidential appointments, were in fact chosen by cabinet secretaries. Even though presidential wishes prevailed in particular cases, the White House at that time did not have the institutional capacity to be able to recruit and screen most of the subcabinet. In the Nixon and Carter administrations the President began their administrations feeling that cabinet secretaries ought to make most of the decisions about their own management teams. Beginning with the Reagan administration subcabinet appointments were tightly controlled by the OPP, and they created the capacity to do it.

Chase Untermeyer explains that politically savvy cabinet secretaries will come "prearmed" with a list of what they call "my appointments." The OPP director has to counter this approach and assert the primacy of OPP. One of the tools is to have a list of potential nominees ready. As the old political saying goes, 'you can't beat somebody with nobody.' But more importantly, the president should establish in the beginning that the OPP will control presidential appointments. Untermeyer would like the president to say to cabinet secretaries:

"I'd like to introduce you to my assistant for presidential personnel. This individual has my complete confidence. This individual has been with me many years and knows the people who helped me et elected here. P.S., while you were in your condo in Palm Beach during the New Hampshire primary, these people helped me get elected so you could become a cabinet secretary. Therefore, I will depend upon the assistant for presidential personnel to help me see that those people who helped us all get there are properly rewarded."<sup>xli</sup>

The perspective from the cabinet secretary was expressed by Frank Carlucci, Secretary of Defense in the Reagan Administration.

Spend most of your time at the outset focusing on the personnel system. Get your appointees in place, have your own political personnel person, because the first clash you will have is with the White House personnel office. And I don't care whether it is a Republican or a Democrat....if you don't get your own people in place, you are going to end up being a one-armed paper hanger.<sup>xlii</sup>

# 3. Managing the Process

In designing the most effective recruitment operation for the president, some lessons have been learned over the past several administrations. First, if it is to be an effective recruiter and screener for the president, the authority of OPP must be established from the very beginning. One of the messages is sent by the status of the OPP director and the location of his or her office. Precedents were set in the Reagan administration that should be followed. Pendleton James was given the title of assistant to the president, the highest rank on the White House staff, and his office was in the West Wing, the most prestigious location in the government. These status symbols send the message that the OPP director will have access to the president and will be a serious figure in the administration and are particularly important in the beginning of an administration.

Next, the ground rules for political appointments must be laid out for the administration: all recommendations for appointments must go to the president through the process set up by the OPP. The Carter and Nixon administrations had so much trouble with their appointees in part because these presidents began by delegating to cabinet secretaries the authority to recruit their own subcabinet appointees. According to Arnie Miller, "I came in in 1978. The president had given away the store for the first two years. He thought that appointments were appropriately the responsibility of Cabinet members. He then realized that this was a mistake and asked us to come in and try to take that power back."<sup>xliii</sup>

The Reagan administration decided that it had to control nominations from the beginning and insisted that all nominations be run through the OPP process. The Reagan process was to bring in the cabinet secretaries before they were nominated and get their understanding and agreement that nominations would all have to go through the OPP process and that they would not have carte blanche to pick their own subcabinet appointees, though their input would be sought and their wishes would be considered.<sup>xliv</sup>

Pen James advises that the OPP director has to control the appointments process.

...being the head of presidential personnel is like being a traffic cop on a four-lane freeway. You have these Mack trucks bearing down on you at sixty miles an hour. They might be influential congressmen, senators, state committee chairmen, head of special interest groups and lobbyists, friends of the president's, all saying 'I want Billy Smith to get that job.' Here you are knowing you can't give them all and you have to make sure that the President receives your best advice. So presidential personnel is buffeted daily and sometimes savagely because they want to kill ...me...because Im standing in the way of letting [them have their appointment.]<sup>xlv</sup>

### III. The Office of Presidential Personnel: Serving Presidential Nominees

While the first duty of OPP is to help form the leadership of the government for the

nation and its second obligation is to the individual president who has been elected, OPP also has important obligations to the individual Americans who want to serve their country. The United States has a long legacy of individual citizens serving in the government, executive and legislative branches, for several years and then returning to private life. This practice brings in people with new ideas and lots of energy who are idealistic and want to participate in the governance of their country. The problem is that recently many of these idealistic Americans have had less than inspiring experiences with their nominations to high office.

While high-level political appointments have always generated controversy and sometimes confirmation battles in the Senate, the process has in recent administrations been exacerbated by active interest group involvement and public controversy. The confirmation process can be harrowing when the political opponents of the president search for embarrassing incidents from the lives of nominees that they can use to embarrass the president and defeat a nomination. In a suicide note, President Clinton's' Deputy White House Counsel Vincent Foster wrote, "I was not meant for the job or the spotlight of public life in Washington. Here ruining people is considered sport."<sup>xlvi</sup> Another Clinton nominee, Henry Foster, was dismayed to find that most of the political controversy surrounding his nomination as Surgeon General was about the small number of abortions he had performed rather than his career as a public leader and doctor during which he had delivered thousands of babies.

The media avidly investigates the backgrounds of high level nominees searching for embarrassing peccadilloes that can be magnified to gain partial leverage. "Opposition research" by the opposing political party often finds its way into the newspapers.

Stephen Carter in his book The Confirmation Mess, wrote:

In American today are hundreds, perhaps, thousands, of people in private life who might otherwise be brilliant public servants but will never have the chance , because for some reason, they are not enamored at the thought of having the media and a variety of interest groups crawl all over their lives in an attempt to dig up whatever bits of dirt, or bits of things that could be called dirt...that turns tiny ethical molehills into vast mountains of outrage, while consigning questions of policy and ability to minor roles.<sup>xlvii</sup>

After the hearings on the nomination of Clarence Thomas, Senator John Danforth expressed his frustration with the process.

If the president calls to say that he will nominate you for a job subject to confirmation by the Senate, just say no....Why risk the reputation you have worked so hard to earn by subjecting yourself to what can become of presidential nominees....The real issue is whether there are any limits to how far we can go in using a presidential nomination for the purpose of making a political point, or furthering a philosophical position, or establishing our own moral superiority or embarrassing the president of the United States, whatever party may at the time occupy the White House. Today there are no such limits....<sup>xlviii</sup>

Even though these extreme examples are not typical of the experience of most nominees who are confirmed without controversy, the experience of the average presidential nominee has been deteriorating in recent administrations. The Presidential Appointee Initiative has surveyed appointees since 1984 about their experiences as nominees of presidents and found that they have a number of justified complaints.

Current and former presidential appointees were asked about their general impressions of the whole nomination and confirmation process. While 71 percent thought of the process as "fair," many also had negative impressions of their experience. Twenty-three percent thought their experience was "embarrassing;" 40 percent thought it "confusing;" and 47 percent accepted it as a "necessary evil."<sup>xlix</sup> These are disappointing findings for a process that is intended to bring citizens into the government for what should be considered a high honor by them. But appointees were clearly put off by the intrusiveness of the process in delving into their personal finances, the investigations into their backgrounds to ensure that nothing in their past could lead to a political scandal, and the time it took for them to be confirmed. These factors all added up to a not entirely satisfying experience.

After going through the process, many of the candidates clearly understood it, but still were critical of it. When asked whether "the White House as a whole acts reasonably and appropriately in the way it processes potential presidential nominees," fully 30 percent replied that "it has become too demanding and thus makes the nomination process an ordeal."<sup>1</sup> This indictment is striking, since it comes from those who have successfully survived the process and have served as presidential appointees in the government. Forty six percent thought that the Senate confirmation process was too demanding and made the process an ordeal. The experience of becoming a presidential appointee also calls for the collection of lots of information necessary for filling out financial disclosure forms. Those appointees who served between 1984 and 1999 who found collecting this information difficult or very difficult amounted to 32 percent (compared to 17 percent of appointees from 1964 to 1984).<sup>li</sup> Making the financial calculations to fill out the financial disclosure forms was complicated enough that 25 percent of appointees spent between \$1000 and \$10,000 for outside expert advice and six percent had to spend more than \$10,000.<sup>lii</sup>

One of the main problems of the nomination process is that after initially agreeing to serve, nominees are often left in limbo, with little information about the progress of their nomination. When asked to grade the White House Personnel operation, many appointees were satisfied, but enough found problems that their views have to be seriously considered. When asked how well OPP "stayed in touch" with them during the process, 51 percent graded OPP average or below average. Significant numbers also gave average or lower grades to OPP for competence (35 percent), responding quickly to questions (36 percent), and caring about them personally (38 percent). <sup>liii</sup> Thirty nine percent of appointees said that they received either not enough or "no information at all" from the White House about the process, and as a result 62 percent went to outside sources for help on the legal aspects of appointments and 48 percent for the financial aspects.

The causes of much of this dissatisfaction are varied. Public scrutiny of nominations has

increased; financial disclosure has become more complicated; and the process takes longer. But another factor to be considered is the huge volume of nominations that OPP must handle and the limited resources that it has to do it. OPP is under pressure, as are all units in the White House Office, to limit the number of personnel so that the White House staff does not look bloated and present a fat target for critics of the president. Extra pressure was added when the Clinton Administration made good on its promise to cut the White House staff by 25 percent.<sup>1v</sup>

There are, however, a number of steps that could be taken to improve the experience of presidential nominees, and we will turn now to possible improvements in the process.

### **Conclusion: Improving the Appointments Process**

### A. Serving the Nation more effectively

While the capacity of OPP and the appointments process might be improved, the institution itself and its location in the White House Office is appropriate. Proposals to move the recruitment function to political parties or elsewhere in the government are unrealistic. Some have suggested that the Office of Management and Budget might be a better location and provide more institutional memory. While more institutional memory is desirable, the priority of recruiting politically loyal appointees and its inherent political sensitivity make OMB the wrong home for OPP. OMB is the home of some of the best civil servants in the government and their role of neutral competence is crucial. If political recruitment were lodged in OMB the danger of politicization would be real and too high a price to pay.<sup>1vi</sup> OMB is not the place for OPP.

Others have suggested that the national headquarters of the political parties would be a good location for the political recruitment function. Political sensitivity is their strong point, and they could keep data banks over periods of time when the presidency was controlled by the other political party. While on the surface this might seem like a good idea, there are profound historical reasons that the personnel recruitment function should not be located in party headquarters.

The story of the second half of the twentieth century has been that the personnel function shifted from the political parties where it had been in the 19<sup>th</sup> and early 20<sup>th</sup> century to the White House. The reason for this shift is that presidents felt that they needed more personal control over their appointments. The proliferation of primaries after 1968 accelerated the shift in control over appointments. With primary elections, political parties had to remain neutral among the various candidates of their party. As a result individual candidates had to build their own campaign teams, and when they won, their teams followed them into the White House. Thus the winning presidential candidate and the entourage do not trust the political party with something as sensitive as political recruitment. As former Democratic Party Chair Robert Strauss put it:

It is rare that a nominee acquires the nomination of his party without thinking he did it despite the party and despite the chairman. The chairman has been neutral if he's a decent chairman.....I would hate for the parties to be the repository of any great lists of skilled people and count on those lists being maintained the way they should be....The

Democratic party, from my experience, is not equipped to keep lists and maintain them.<sup>lvii</sup>

The Executive Clerk's Office in the White House keeps track of each presidential appointment and law signed by the President. The Clerk's Office does not have the resources to recruit presidential personnel, and to give it the job would risk unduly politicizing a strictly non partisan office essential to the presidency.

One reform proposal that is worth considering is a reduction in the total number of political appointees. This proposal has been made by a number of prestigious groups and commissions, including the National Academy of Public Administration, the National Commission on the Public Service (the Volcker Commission), and the National Research Council of the National Academy of Sciences.<sup>1viii</sup> The reasoning of these proposals is that the need for OPP to recruit and screen for thousands of positions stretches OPP to the point that it is less effective and unduly lengthens the appointments process as well as slows a new president from getting the new administration in place.

Presidents believe that having "my people" in place throughout the government will give them the extra leverage they need to have a responsive government. But the reality is that no president knows most of the people who are appointed in his or her name. Appointees come from throughout the political system, and these people may or may not be personally or ideologically loyal to the president. They may also be responsive to their sponsors in Congress or elsewhere in the political system. In addition the increasing number of appointees increasing the layers of hierarchy between the president and those who actually do the work of government and contributes to the "thickening" of the government.<sup>lix</sup>

According to Bush OPP director Constance Horner,

...there are too many low-level political appointees. This really clogs up the process. And I say that as someone who believers that presidents should have a large apparatus for changing policy, and I believe that there should be a thousand presidential appointees, but the number of political appointees that require the attention of presidential personnel, that can cause trouble...the number of lower level political appointee requires too much overhead and maintenance for the value to the President substantively or politically....those special assistants interject themselves into the decision making process beyond their substantive capacity because of the weight of their political influence. What that means is that other layers are created between the presidential appointee and the senior career civil service, and that weakens the utility that a president can get out of the civil service.<sup>1x</sup>

### B. Serving the President More Effectively

The point has been made earlier that early planning is essential for an effective appointments process. It has to be ready to go the day after the election. The effectiveness of the selection process will be undercut if the President changes the person who is in charge of recruitment, as President Clinton did during his transition. The director of OPP should ensure that people who work in the OPP are not there for the primary purpose of finding themselves a job in the administration. Chase Untermeyer's deputy, Jan Naylor Cope, said that Untermeyer "...got a commitment from each of us that we would stay in the position a minimum of one year before we even thought about what we might want to do next with our lives. So people were really focused on the task at hand and not trying to cherry pick their next job...."<sup>lxi</sup>

The process might serve the president better if the people who come into the government, particularly those who have not had experience working in the federal government before, were given an orientation to the political and administrative context of their new jobs. Chase Untermeyer said that, even though he had previous government experience, the orientation program he went through in preparation to be Assistant Secretary of the Navy "was extremely valuable."<sup>lxii</sup> There have been a number of attempts at orientation programs for new appointees in the Ford, Reagan, and Bush administrations, but they have never been institutionalized. Arnie Miller agrees that, "A good way to start is with an orientation program for all new key appointees."<sup>lxiii</sup>

People coming into government from the business world may especially need to hear the advice of respected veterans of government service. According to Pendleton James, who has had a long career in private sector as an executive recruiter, as well as his government experience,

"I think that businessmen make the worst appointees because they are used to command and control....Government doesn't work that way. Some businessmen, we know, have made that transition. Come businessmen cannot. They just get terribly frustrated with the bureaucracy, and government is bureaucracy, and you have to persuade the bureaucracy to move or change or whatever."<sup>lxiv</sup>

Fred Malek, with impressive private-sector experience also emphasizes the differences between government and business.

"In business you have to satisfy a CEO and through the CEO the board of directors. In government...you have a much more complex array of people whose needs have to be met. Business is complicated. You have customer and business partners and the like, but it's tough, more complicated in government....You have to be able to subjugate your ego....You have to be indefatigable. It's very hard work. The government works harder than the private sector, without question."<sup>1xv</sup>

Any new administration would benefit from a systematic orientation program for its new appointees, but such a program must be taken seriously. It needs to be held under the auspices of the White House itself, and it has to include influential members of the White House staff if new appointees are to take the time out of their very hectic schedules. The issues that need to be covered include the legal dimensions of conflict-of-interest regulations, dealing with the press, relations with Congress, the functions of OMB, and the role of the White House staff in the new administration. The people who deliver these messages should include top officials in the new administration as well as veterans of high levels in previous administrations.<sup>lxvi</sup>

The job of the OPP director could also be made more manageable by a full time press person to field calls about the status of recruitment process, particularly the "bean count" of total vacancies and people in different categories. Chase Untermeyer recommends such a position as well as a full-time legislative affairs assistant to help nominees through the confirmation process.<sup>lxvii</sup>

### C. Serving Presidential Nominees more Effectively

From the surveys of the former appointees cited above, it is clear that the nomination and appointment process has room for improvement, but the good news is that many of the problems cited by respondents are not difficult to alleviate. One theme that came through clearly is that once contacted by the OPP, many potential nominees felt that they had been abandoned and did not have sufficient information about how the process would proceed. Chase Untermeyer pointed out "the sad truth" that "often nominees feel abandoned in the confirmation process" and "it's extremely important for that nominee of the President to have somebody holding his or her hand in getting through the process."<sup>Ixviii</sup> According to Constance Horner, "...the nominee becomes an orphan because the White House Legislative Office doesn't have anywhere near the staff needed to squire nominees....I strongly recommend the creation of a permanent, very small White House career staff to serve as a checkpoint for nominees. Someone who knows everything there is to know technically about this process..."<sup>Nxix</sup> Arnie Miller agrees,

"A separate confirmation unit should be established in the White House with members of the PPO. The counsel's office, and the Office of Congressional Liaison to assist nominees with conflict-of-interest and disclosure questions and prepare them for confirmation hearings. From the moment they are selected, appointees should feel well supported by the confirmation unit and already a part of an Administration they will be proud to serve.<sup>1xx</sup>

In addition, nominees need to given realistic expectations about the process. One told the Presidential Appointee Initiative that he or she would have appreciated "...more realism about how much time it takes. Everybody says, 'Oh, it's two months maximum.' Turned out to be six months. And that's pretty off-putting because your whole private life is on hold...while this is going on. And it's also kind of nerve-wracking....<sup>"lxxi</sup> Veronica Biggins, director of OPP during the Clinton Administration, says that potential nominees should be warned that they may be treated harshly in the press, but that the political attacks are often not personal. "It is important that appointees know that this can happen and that these individuals know that the candidates understand it's not them, it's politics."<sup>Ixxii</sup> Edwin Meese added to the advice that should be given to those contacted by the OPP: "Don't give up your day job until you're sure."<sup>Ixxiii</sup>

Other possible improvements to the process include giving nominees clearance forms immediately, even if their nomination was not certain, so that they could get a head start on gathering the information. Veronica Biggins suggested that during the transition a new administration might give names of those whom they expect to nominate to the FBI, even if they are not sure which positions they will be nominated for, just to give the Bureau a head start on investigations.<sup>lxxiv</sup>

Despite all of these complaints and difficulties with the presidential personnel process, the overwhelming majority of nominees have had rewarding experiences serving the president and the nation. Fifty-four percent of the appointees would "strongly recommend" to friends to take a presidential appointment if they had the opportunity, and 29 percent would "somewhat encourage" that. Only 8 percent would discourage a friend from taking an appointment.<sup>lxxv</sup> The rewards of the job are many, ranking highest, "accomplishing important public objectives" and "dealing actively with challenging and difficult problems."<sup>lxxvi</sup>

The presidential appointments process has much room for improvement, but the bottom line is that few people have such an opportunity to serve their country and work for a President whom they admire. It is a rich and rewarding experience, and few who have had the opportunity would take back their years at the highest levels of the government.

# **ENDNOTES**

<sup>xiv</sup> WHIP interview with Pendleton James, p. 5.

<sup>xvi</sup> WHIP interview with Robert Nash, p. 13.

See Weko, The Politicizing Presidency, pp. 15-20.

<sup>&</sup>lt;sup>ii</sup> G. Calvin Mackenzie, *The Politics of Presidential Appointments* (NY: The Free Press, 1981), p. 27.

<sup>&</sup>lt;sup>iii</sup> See Weko, *The Politicizing Presidency*, p. 32.

<sup>&</sup>lt;sup>iv</sup> White House Interview Program, interview with Fred Malek by Martha Kumar (23 November 1999), p. 2.

<sup>&</sup>lt;sup>v</sup> See Weko, *The Politicizing Presidency*, pp. 70-71.

<sup>&</sup>lt;sup>vi</sup> White House Interview Program, interview with Arnie Miller by Martha Kumar (16 December 1999), pp. 13, 6.

<sup>&</sup>lt;sup>vii</sup> Weko, The *Politicizing Presidency*, p. 100.

viii Weko, The Politicizing Presidency, pp. 100, 125, 126.

<sup>&</sup>lt;sup>ix</sup> "The Pentagons's Missing Civilians," editorial, Washington Post, June 27, 1993.

<sup>&</sup>lt;sup>x</sup> Al Kamen, "Help Wanted, Call Clinton (EOE)," Washington Post October 12, 1993.

<sup>&</sup>lt;sup>xi</sup> Jon Healey, "Administration Fills Its Slots, Congress Plays Waiting Game," Congressional *Quarterly Weekly Report* (May 1, 1993), p. 1060. <sup>xii</sup> NAPA, Recruiting Presidential Appointees, p. 10.

<sup>&</sup>lt;sup>xiii</sup> WHIP, interview with Pendleton James, p. 21.

<sup>&</sup>lt;sup>xv</sup> See James P. Pfiffner. *The Strategic Presidency* (Lawrence, KS: University Press of Kansas, 1996), p. 164.

<sup>&</sup>lt;sup>xvii</sup> WHIP interview with Jan Naylor Cope, pp. 28-29.

<sup>&</sup>lt;sup>xviii</sup> The Keys to a Successful Presidency, "Staffing a New Administration," The Heritage Foundation (16 May 2000), transcript of panel discussion, p. 19.

<sup>&</sup>lt;sup>xix</sup> The Keys to a Successful Presidency, "Staffing a New Administration," The Heritage Foundation (16 May 2000), transcript of panel discussion, p. 20.

<sup>xx</sup> Quoted in Ricahrd L. Schott and Dagmar S. Hamilton, *People, Positions, and Power: the Political Appointments of Lyndon Johnson* (Chicago: University of Chicago Press, 1983), p. 5. <sup>xxi</sup> WHIP interview with Douglas Bennett, p. 2.

<sup>xxii</sup> National Academy of Public Administration, "Recruiting Presidential Appointees: A Conference of Former Presidential Personnel Assistants," (NAPA, Washington, 1984), p. 11. <sup>xxiii</sup> National Academy of Public Administration, "Recruiting Presidential Appointees: A

Conference of Former Presidential Personnel Assistants," (NAPA, Washington, 1984), p. 12. <sup>xxiv</sup> National Academy of Public Administration, "Recruiting Presidential Appointees: A

Conference of Former Presidential Personnel Assistants," (NAPA, Washington, 1984), p. 12. <sup>xxv</sup> The Keys to a Successful Presidency, "Staffing a New Administration," The Heritage

Foundation (16 May 2000), transcript of panel discussion, p. 20.

<sup>xxvi</sup> WHIP interview with Chase Untermeyer, p. 43.

<sup>xxvii</sup> The Keys to a Successful Presidency, "Staffing a New Administration," The Heritage Foundation (16 May 2000), transcript of panel discussion, p. 10.

<sup>xxviii</sup> See James P. Pfiffner, *The Strategic Presidency: Hitting the Ground Running* (Lawrence, KS: University Press of Kansas, 1996), p. 61.

<sup>xxix</sup> WHIP interview with Pendleton James, p. 10; NAPA, "Recruiting Presidential Appointees," p. 14.

<sup>xxx</sup> WHIP interview with Arnie Miller, p. 9.

<sup>xxxi</sup> WHIP interview with Robert Nash, pp. 34-35.

<sup>xxxii</sup> WHIP interview with Pendleton James, pp. 15, 16.

<sup>xxxiii</sup> The Keys to a Successful Presidency, "Staffing a New Administration," The Heritage Foundation (16 May 2000), transcript of panel discussion, p. 11.

<sup>xxxiv</sup> WHIP interview with Pendleton James, p. 8.

<sup>xxxv</sup> National Academy of Public Administration, "Recruiting Presidential Appointees: A Conference of Former Presidential Personnel Assistants," (NAPA, Washington, 1984), p. 10. <sup>xxxvi</sup> WHIP interview with Constance Horner, p. 31.

<sup>xxxvii</sup> Quoted in Pfiffner, *The Strategic Presidency*, p. 70.

xxxviii Quoted in Mackenzie, The Politics of Presidential Appointments, p. 46.

xxxix Jimmy Carter, *Keeping Faith* (NY: Bantam Books, 1982), p. 61.

<sup>x1</sup> Richard L. Schott and Dagmar S. Hamilton, *People, Position, and Power*, (Chicago: University of Chicago Press, 1983), p. 15.

<sup>xli</sup> WHIP interview with Chase Untermeyer, p. 10.

<sup>xlii</sup> Interview with Frank Carlucci, secretary of defense in the Reagan Administration, conducted by the staff of the NAPA Presidential Appointee Project, 1985, quoted in Pfiffner, *The Strategic Presidency*, p. 66.

<sup>xliii</sup> National Academy of Public Administration, "Recruiting Presidential Appointees: A

Conference of Former Presidential Personnel Assistants," (NAPA, Washington, 1984), p. 13.

<sup>xliv</sup> WHIP interview with Pendleton James, p. 7.

<sup>xlv</sup> WHIP interview with Pendleton James, p. 7.

<sup>xlvi</sup> The note is printed in Elizabeth Drew, *On the Edge* (NY: Simon and Schuster, 1994), p. 258.

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<sup>xlviii</sup> *Washington Post* (June 25, 1993), quoted by Charles Ross, "The Tory Elite: President Bush's Executive Branch Appointments," (PhD dissertation, George Mason University, 1994), p. 217.

Light and Thomas, "The Merit and Reputation," p. 29.

<sup>li</sup> Light and Thomas, "The Merit and Reputation," p. 29.

<sup>lii</sup> Light and Thomas, "The Merit and Reputation," p. 27.

<sup>liii</sup> Light and Thomas, "The Merit and Reputation," p. 15.

<sup>liv</sup> Light and Thomas, "The Merit and Reputation," p. 7.

<sup>1</sup>v For an analysis of the White House staff cuts in the Clinton Administration, see James P. Pfiffner, "Cutting Staff No Easy Task for Clinton," Maine Sunday Telegram (12 December 1993).

<sup>1vi</sup> For an analysis of OMB, see James P. Pfiffner "OMB: Professionalism, Politicization, and the Presidency," in Executive Leadership in Anglo-American Systems, edited by Colin Campbell and Margaret J. Wyszomirski (Pittsburgh, PA: University of Pittsburgh Press, 1991), pp. 195-218.

<sup>1vii</sup> National Academy of Public Administration, "The Presidential Appointments Process: Panel Discussions on America's Unelected Government," (Washington: NAPA, 1984), p. 21.

<sup>1viii</sup> See for example, *Science and Technology Leadership in American Government: Ensuring* the Best Presidential Appointments (Washington, D.C.: National Academy Press, 1992); National Commission on the Public Service, *Leadership for America: Rebuilding the Public* 

Service (Washington, D.C.: National Commission on the Public Service, 1989), p. 18; Task Force Report to the Commission, "Politics and Performance: Strengthening the Executive Leadership System," [the Task Force was chaired by Elliot L. Richardson and staffed by project director James P. Pfiffner, printed in Task Force Reports (Washington, D.C.: National Commission on the Public Service, 1989), pp. 157-190. National Academy of Public Administration, Leadership in Jeopardy: The Fraying of the Presidential Appointments System, Final Report of the Presidential Appointees Project (Washington, D.C.: NAPA, 1985); James P. Pfiffner, The Strategic Presidency: Hitting the Ground Running (Lawrence, KS: University Press of Kansas, 1996), pp. 190-199.

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<sup>1x</sup> WHIP interview with Constance Horner, p. 34.

- <sup>lxi</sup> WHIP interview with Jan Naylor Cope, p. 7.
- <sup>1xii</sup> WHIP interview with Chase Untermeyer, p. 28.

<sup>1xiii</sup> Arnie Miller, "Personnel Process for a Presidential Transition," in Mark Green, ed., Changing America: Blueprints for the New Administration (NY: Newmarket Press, 1992, p. 747.

Heritage Foundation, "Staffing a New Administration," Roundtable Discussion Transcript (Washington: Heritage, 2000), p. 47. <sup>lxv</sup> WHIP interview with Fred Malek, pp. 8, 7.

<sup>1xvi</sup> For a more thorough analysis of orientation programs for new political appointees see, James P. Pfiffner, "Strangers in a Strange Land: Orienting New Presidential Appointees," in Calvin Mackenzie, The In-and-Outers (Baltimore: Johns Hopkins University Press, 1987.

<sup>1xvii</sup> Heritage Foundation, "Staffing a New Administration," Roundtable Discussion Transcript (Washington: Heritage, 2000), pp. 16-17.

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xlix The results of the survey are reported in Paul C. Light and Virginia L. Thomas, "The Merit and Reputation of an Administration: Presidential Appointees on the Appointments Process," published by the Presidential Appointee Initiative of the Brookings Institution. These data are on page 25.

<sup>lxix</sup> WHIP interview with Constance Horner, pp. 18, 5.

<sup>1xx</sup> Arnie Miller, "Personnel Process for a Presidential Transition," in Mark Green, ed., *Changing* America: Blueprints for the New Administration (NY: Newmarket Press, 1992, p. 749.

- <sup>lxxi</sup> Quoted in Paul C. Light and Virginia L. Thomas, "The Merit and Reputation of an Administration," The Presidential Appointee Initiative (Washington: Brookings, 2000), p. 21.
- lxxii Heritage Foundation, "Staffing a New Administration," Roundtable Discussion Transcript (Washington: Heritage, 2000), p. 18..
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- lxxiv Heritage Foundation, "Staffing a New Administration," Roundtable Discussion Transcript (Washington: Heritage, 2000), p. 18. <sup>lxxv</sup> Light and Thomas, "The Merit and Reputation of an Administration," p. 5.
- <sup>1xxvi</sup> Light and Thomas, "The Merit and Reputation of an Administration," p. 5.