

Organizing the Obama White House

Each new president faces the challenge of organizing the White House and structuring its relations with the rest of the executive branch. Enduring institutional tensions carry forward in the presidency, regardless of partisan control or the changing personnel in the presidency and appointed positions. The sources of these tensions are structural; just as the U.S. economy and government have expanded, the modern presidency has grown tremendously since the creation of the Executive office of the President (EOP) in 1939. A White House staff of a few generalist, personal advisers to the president has been transformed into a complex collection of bureaucracies, with 2,000 personnel in the EOP and 400 in the White House office (which is part of the EOP). The presidency is, in important ways, a separate “branch” from the rest of the executive branch (Polsby 1983; Hart 1995).

This chapter will consider how President Obama’s administration illustrates the enduring tensions between centralized control and the necessary delegation of policy implementation to departments and agencies. After examining White House domination of policy making in the Obama presidency, the chapter will analyze the friction with the cabinet and Congress caused by Obama’s appointment of many White House “czars.” The lynch pin in Obama’s White House for its first two years was chief of staff Rahm Emanuel, and his abrasive but effective actions on the part of the president will be examined. After the 2010 congressional elections, President Obama admitted that the Democrats took a “shellacking.” Several significant changes in the White House staff had been underway before the elections, and more would be announced before the 112th Congress convened on January 3, 2011. Personnel changes would be significant, but whether the changes signaled a sharp change in policy was not clear at the end of 2010.

White House Staff versus the Cabinet

As in most administrations since the 1960s, the Obama administration ran its policy priorities out of the White House rather than through executive branch departments and agencies. The Nixon administration was the turning point during which the modern presidency developed staff capacities in the White House that allowed presidents to bypass departments in formulating policy (Hult and Walcott 2004; Pfiffner 1999). In national security, Henry Kissinger recruited staffers from across the government to serve on the National Security Council staff and marginalized the State Department in foreign policy making (Burke 2009). On the domestic policy side, John Ehrlichman recruited and headed up the domestic policy staff, which freed the president from needing department and agency analysis for his major domestic policy priorities. Once these capacities were created in the White House, no succeeding president successfully delegated policy advice to the departmental level (though Ford, Carter, and

Reagan began their presidencies trying to) (Hart 1995; Pfiffner 2010b). Each subsequent president reinforced the structural trend of centralization, and President Obama was no exception.

Immediately after the 2008 election President Elect Obama designated Rahm Emanuel to be his chief of staff, an indicator that his transition operation was well organized and that he realized the importance of establishing his White House staff early. Obama had learned from the mistake of President elect Clinton who spent much of his transition time recruiting his cabinet, which slowed his transition into office. In the third week of his transition Obama publicly introduced his “economic team” of White House staffers and his Treasury Secretary, Timothy Geithner. In the fourth week he named his national security team, including National Security Adviser James Jones, Secretary of State Hillary Clinton, and Defense Secretary Robert Gates. These actions early in his transition demonstrated that careful planning had been done before the election, and the pace of his designations surpassed those of his recent predecessors.

His designation of the “teams” indicated that he intended his White House staff and his cabinet secretaries to work together in advising him and formulating policy. He recruited strong and professionally impressive cabinet secretaries, but he also set up many White House “czars” who were supposed to “coordinate” administration policy. His designation of these “czars” signaled that he would continue the trend of centralizing policy making and advice to the president in the White House. Cabinet secretaries would be important, but they would likely be overshadowed by White House staffers.

In every administration of the modern presidency, the relationship between cabinet secretaries and the White House staff has been fraught with rivalry and tension. Charles Dawes, the first director of the Bureau of the Budget and later Vice President, once remarked that “Cabinet secretaries are vice presidents in charge of spending and as such are the natural enemies of the president” (Richardson 1996 , 146). The tension stems from the inevitable role of cabinet secretaries as advocates for their departmental programs and the necessary role of White House staffers as central controllers who must harness departments and agencies to the central purposes of the president (Hess 2002; Hart 1995). That central controlling function has been enhanced by the increased capacity of the White House staff to perform many of the advising functions that used to exist only in cabinet departments (Burke 1992; Warshaw 1996; Patterson 2000; Pfiffner 1999).

The exception that proved the rule of centralized White House control was Obama’s initial intention to delegate the legal aspects of detainee policy to his attorney general, Eric Holder. Holder accepted the position with the understanding that he would make legal decisions independently of the White House, though of course the president would have the final say. Chafing from charges that he had been too accommodating to President Clinton and not having challenged the pardon of Marc Rich, when he served in Clinton’s Justice Department, Holder wanted to demonstrate his legal autonomy and independence of political influence. He also wanted to distinguish clearly his relationship to the president from that of Alberto Gonzales who was very close to

President Bush and whom critics accused of compromising his legal judgment in order to accomplish the president's policy goals.

In addition, President Obama also wanted to be seen as not letting politics interfere with legal principles. Thus he delegated some of the key legal decisions regarding detainee policy to Attorney General Holder. Obama told Holder to make the decisions on the merits of the law rather than on political grounds. Exercising his delegated authority, Holder decided to try the 9/11 terrorist suspects in criminal court rather than military tribunals and chose New York City as the venue. The decision caused a political uproar, with congressional leaders threatening legislation to mandate military commission trials and New York Mayor Blumberg backing off of his initial support of Holder's venue decision. Thus Obama faced the dilemma of backing the initial decision of Holder about the best legal strategy for handling detainees or bowing to political pressure.

Holder's decisions reinforced White House staffers' suspicion that he was not sufficiently sensitive to the president's political fortunes. Holder was aware of the conflict and tried to maintain a balance. "I hope that whatever decision I make would not have a negative impact on the president's agenda. But that can't be a part of my decision" (Klaidman 2009). White House staffers, however, considered Holder to be more concerned with his own legal reputation than the political success of the president. According to a lawyer close to the Obama White House, White House staffers "think he wants to protect his own image, and to make himself untouchable politically, the way Reno did, by doing the righteous thing" (Mayer 2010). Political aides in the White House were so concerned about what they considered Holder's tin ear for politics that they suggested appointing a "minder" in the Justice Department who had more sensitive "political antennae" than Holder (Kantor and Savage 2010).

Ultimately, the White House staff, particularly the chief of staff convinced Obama that the political repercussions of Holder's decisions were more important than Holder's legal judgments and his independence from the White House. Obama in the spring of 2009 decided that some detainees would be tried in civil courts, but many would be tried by military commissions or detained indefinitely without trial. Thus ended Obama's experiment with delegation of policy making to cabinet secretaries. The centralization of control of high-visibility legal policy in the White House illustrates pressures faced by all contemporary presidents to ensure that departmental perspectives do not undercut broader presidential interests.

In contrast to Obama's initial attempt to allow legal decisions to be formulated at the department level, the administration intended from the very beginning to handle its signature policy priority, health care financing reform, in the White House. During the transition, when Obama asked former Senate leader Tom Daschle to be secretary of Health and Human Services, Daschle insisted that he also be designated as the White House czar of health care reform. The request for this unique designation reflected Daschle's understanding that the real action in policy making would take place in the White House rather than in cabinet departments. When Daschle withdrew his nomination

because of tax problems, Obama appointed Nancy-Ann DeParle to be White House health czar and former Governor of Kansas, Kathleen Sebelius, to head HHS. In testimony before Congress in early February 2010, Sebelius admitted her secondary role in health care reform. “I am not a principal in the negotiations, nor is my staff.” She said that they would provide “technical support” to Congress but they did not play a role in negotiating over the shape of the health care legislation (Pear 2010). In contrast, Treasury Secretary Timothy Geithner, took the lead on administration financial policy and worked closely with the White House staff, though he was closely overseen by Emanuel.

To lead the NSC staff, Obama appointed former Marine General James Jones who had a broad background working at high levels of the executive branch on military and national security issues, particularly the Middle East. Jones saw his role in the classic “honest broker” mold: “We’re not always going to agree on everything, so it’s my job to make sure that minority opinion is represented” (DeYoung 2009; Burke 2009). He emphasized the importance of avoiding the “back channels” of information and authority that characterized some of the Bush administration’s national security policy process. But during policy making on Afghanistan Jones’ deputy, Thomas Donilon, came to play a major role in advising the president. Frustrated by being overshadowed by others in the White House, Jones decided to leave the administration in the fall of 2010 (Woodward 2010).

In carrying out his duties, Jones directed a staff of about 240 people, but the NSC coordinating mission would be complicated by special envoys for particular trouble spots around the globe, such as George Mitchell for Middle East problems, Richard Holbrooke for Afghanistan and Pakistan, Dennis Ross for Iran, and Robert Burns for Iran nuclear issues. Hillary Clinton also played a major role in these policy areas in addition to her other duties as Secretary of State.

Hillary Clinton, as a condition of accepting the position of Secretary of State, demanded full authority to designate all political appointments (about 200) in the State Department (Romano 2010; Woodward 2010, 30). In demanding this autonomy in personnel selection, she echoed the independence that Melvin Laird and Casper Weinberger had sought as secretaries of defense in the Nixon and Reagan administrations. But since the Reagan administration, presidents have insisted that high level, Senate-confirmed political appointees be chosen in the White House and that lower level executives (even though technically agency head appointments) be cleared through the president’s personnel office (Patterson and Pfiffner 2001; Lewis 2009). Although Obama did grant Clinton significant leeway in choosing political appointees, by the summer of 2009 she was expressing frustration with the White House personnel office (Cohen 2010, 4).

Clinton did, however, play an important role in the Obama administration’s foreign policy, in contrast to Secretary of State Colin Powell’s role in the Bush administration. Clinton exerted her influence in the administration’s internal policy making as well as playing the traditional secretary of state role of primary spokesperson

for the United States abroad. She and Defense Secretary Robert Gates got along well, which greatly eased the traditional friction between the Departments of State and Defense (Luce and Dombey 2010). Importantly, they both favored the troop build-up in Afghanistan.

During his first year, Obama wanted tight, personal control over national security policy making. According to one senior aide, “President Obama is his own Henry Kissinger – no one else plays that role. . . . This president wants all the trains routed through the Oval Office” (Luce and Dombey 2010). Obama most often chaired the weekly “principals meeting” of the National Security Council, rather than National Security Adviser James Jones. By the end of his first year in office the Obama White House had established a “regular order” for the national security policy process. There was a systematic set of procedures for paper flow, consultation, and sign-off; the process was managed and enforced by deputy NSC adviser Tom Donilon and Rahm Emanuel (Ignatius 2010). The daily 9:30am national security briefings were conducted by Donilon, who also ran the “deputies meetings” of the NSC, the heart of the interagency process. In 2009 there were 270 deputies meetings, a very intense schedule, indicating the centrality of Donilon to the national security process (Luce and Dombey 2010). Obama’s went so far as to assert his control of the details of Afghanistan policy by personally dictating the November 2009 policy memorandum that specified the 30,000 troop buildup in Afghanistan (Woodward 2010, 325).

Obama’s Many Policy “Czars”

The term “czar” has no generally accepted definition within the context of American government. It is a term loosely used by journalists to refer to members of a president’s administration who seem to be in charge of a particular policy area. For purposes of consistency, the term “czar” can be used to refer to members of the White House staff who have been designated by the president to coordinate specific policies that involve more than one department or agency in the executive branch; they do not hold Senate-confirmed positions, nor are they officers of the United States (Pfiffner 2009b).

Within several months of his inauguration, President Obama had appointed a number of White House czars to oversee policy development of his major priorities. For instance, Carol Browner (head of EPA in the Clinton administration) would oversee administration agencies concerned with energy and climate change, including the WH Council on Environmental Quality, EPA and the departments of Energy, Defense, and Interior. In announcing his choice of Browner, Obama described the role that he expected White House czars to play; she would provide “coordination across the government” and ensure “my personal engagement as president” in environmental policy. He said that she would have authority to “demand integration among different agencies; cooperation between federal, state and local governments; and partnership with the private sector” (Shear and Connolly 2009).

Lawrence Summers (Treasury Secretary in the Clinton administration) would guide the administration’s economic policy team which included Treasury Secretary

Timothy Geithner, OMB Director Peter Orzag, Council of Economic Advisers chair Christina Romer, and senior economic adviser Paul Volcker. Nancy-Ann DeParle was designated to be White House health czar; she would lead policy development rather than HHS Secretary Kathleen Sebelius. In addition, the White House staff included czars for urban affairs, auto industry restructuring, financial bailouts, terrorism, drug control, and Native American affairs.

In contrast to officers of the United States, such as cabinet secretaries, members of the White House staff are appointed by the president without Senate confirmation (PA). They are legally authorized only to advise the president; they cannot make authoritative decisions for the government of the United States.¹ For practical purposes, however, staff personnel may have considerable “power” or influence, as opposed to authority. But this power is derivative from the line officer for whom they work. Thus White House staffers may communicate orders from the president, but they cannot legally give those orders under their own authority. In the real world, of course, White House staffers often make important decisions, but the weight of their decisions depends entirely on the willingness of the president to back them up.

In February 2009, Senator Robert Byrd wrote a letter to President Obama, complaining that the designation of all of the czars undermined accountability to Congress the Constitution. “The rapid and easy accumulation of power by White House staff can threaten the Constitutional system of checks and balances. At the worst, White House staff have taken direction and control of programmatic areas that are the statutory responsibility of Senate confirmed officials” (Bresnahan 2009). But constitutional issues were not the main problem with the multiplying czars. The president is accountable for administration policy, and cabinet secretaries can testify about programs. As Villalobos and Vaughn argue, czars “are not constitutionally problematic so long as they refrain from usurping authority or making policy decisions that Congress has explicitly set aside for their respective Senate confirmed principal officers, which include actions such as rule-making, issuing regulations, approving expenditures, or otherwise authoritatively interpreting laws” (Villalobos and Vaughn 2010, 13).

The real problem with White House czars (and sometimes even the National Security Adviser) is that they confuse the chain of command and leave open the question of who is in charge of administration policy. Czars are often frustrated because they lack the authority to carry out their responsibilities. That is, they do not control budgets or appointments, and they cannot order cabinet secretaries to do their bidding. For example, past drug czars expressed frustration because they could not authoritatively coordinate the FBI, Drug Enforcement Administration, Coast Guard, HUD, and other agencies that implement drug control policies. Similar problems faced the first several Directors of

¹ There is a parallel between the concepts of “line” and “staff” in the U.S. military. Staff personnel can advise line officers, but only line officers can make authoritative decisions, such as hiring and firing personnel or committing budgetary resources. Cabinet secretaries are in line positions and White House personnel are staff.

National Intelligence. They were charged with leading the intelligence community of 15 separate agencies, but did not have budget or personnel control of most of them. White House czars can act authoritatively when they directly represent the president's wishes, but presidents do not have the time to continually back up individual czars on a regular basis.

The other problem with czars is that cabinet secretaries often resent the dilution of their policy advising authority. In every administration, cabinet secretaries jealously guard their authority and seek access to the president. This is where policy czars have the advantage of proximity; they have the opportunity to see the president much more often than can cabinet secretaries, who have many departmental and implementation duties they must carry out. So the biggest problem with so many czars in the White House is the question of who is in charge of a given policy area. Who has the lead in developing policy alternatives for the president's consideration?

Chief of Staff "Rahambo"

Obama, who self-consciously sought to imitate some of President Lincoln's characteristics, seemed to seek a "team of rivals" in his White House and cabinet appointments (Goodwin 2005). That is, he welcomed diverse opinions and disagreement from equally forceful White House staffers and cabinet secretaries in order to be fully informed before making final decisions. When Obama was assembling his cabinet, he said that he sought "strong personalities and strong opinions" in order to foster robust debate on important policy issues. "One of the dangers in the White House, based on my reading of history, is that you get wrapped up in groupthink and everybody agrees with everything and there's not discussion and there are no dissenting views. So I'm going to be welcoming a vigorous debate inside the White House." But he concluded "As Harry Truman said, the buck will stop with me" (Baker 2008).

The key to making Obama's complicated White House staff structure work was chief of staff, Rahm Emanuel. With so many czars and competing power centers, someone short of the president had to be in charge to act as traffic cop and enforcer (Pfiffner 1993). David Axelrod, Valarie Jarrett, and Peter Rouse did not report to Obama through Emanuel; they were senior counselors who played important roles in his campaign for the presidency. Press Secretary Robert Gibbs, who had been with Obama since his campaign for the Senate, was also very close to the president; he sat in on virtually all policy meetings and was one of the few people who was comfortable giving Obama bad news (Horowitz 2010b). But Emanuel was the lynchpin; he was a close advisor of Obama and came to the White House with six years experience in the Clinton White House, four years as a member of Congress, and a background in Chicago politics.

The chief of staff in any presidency faces formidable challenges, and they were particularly daunting in Obama's high-maintenance White House staff structure. Emanuel would have to ride herd on the many policy czars, smooth ruffled feathers, corral large egos, guard access to the president, make the trains run on time, negotiate between White House staffers and cabinet secretaries, and get all of the separate political

and policy threads to go through the eye of the needle at the same time.

By all accounts, Emanuel was up to the job. In addition to his impressive political experience, Emanuel was known for his abrasive personality, vulgar language, volatile temperament, and tactical brilliance. From Emanuel's perspective, he specialized in what he called "the art of the possible," and he was a master of "transactional politics," i.e. making deals and compromises, in contrast to ideological politics (Lizza 2009). To assist him in his job, Emanuel had two deputies, Mona Sutphen and Jim Messina, and a personal G.P.S. system that was able to track the location of the president and senior White House staffers (think Harry Potter's Marauder's Map).

As the key to White House organization, Emanuel provided a complement to Obama in terms of temperament, personality, and style. Where Obama was idealistic, Emanuel was practical; where Obama was restrained, Emanuel was outspoken; where Obama was smooth, Emanuel was brash ("Rahmbo"); where Obama was given to policy analysis, Emanuel was a master of political calculation; where Obama was "no drama," Emanuel was histrionic (Baker 2010). As policy adviser to the president Emanuel represented the pragmatic rather than the idealistic side of Obama's mind. On Afghanistan, he was against escalation; on detainee issues, he wanted to compromise with conservatives; and on health care reform, he favored incremental change rather than comprehensive reform. Obama did not always follow his advice, but took his counsel seriously. Obama was the idealistic leader; Emanuel played the heavy and knocked heads together to enforce the president's decisions.

Stories of Emanuel's political tactics emphasized his colorful language and his toughness. In one negotiating session, he reportedly made his point by standing on a table and screaming (Tumulty and Scherer 2009). Even President Obama kidded Emanuel about his volatile personality. On one occasion Obama recalled that in a recent trip to Egypt, Emanuel rode a camel, which made the president nervous because "this is a wild animal known to bite, kick and spit [pause] And who knows what the camel could do?" (Newhall 2009). Obama also said that, when Emanuel lost half of his middle finger in an accident, it "rendered him practically mute" (Lizza 2009). In his early career, Emanuel had worked as an aide on a congressional campaign, and the polling expert they hired made a serious mistake. After his candidate lost the race, Emanuel sent the pollster a box with a dead fish in it to indicate his displeasure. In his White House Office, there was a plaque stating Emanuel's position as "Undersecretary for Go F*** Yourself" (Lizza 2009). Regarding his own hardball tactics, Emanuel admitted: "I wake up some mornings hating me too" (Kurtz 2009). When Emanuel left the administration in October 2010, Saturday Night Live announced, "On Friday, the White House released Ram Emanuel back into the wild (Brooks 2010).

Emanuel's office was the nerve center of the White House, with all paperwork and policy advice required to run the gauntlet of Emanuel's scrutiny before going to the president (Horowitz 2010a; Sullivan 2004). Emanuel was central to all of Obama's major policy decisions and negotiations with Congress. He was not a "neutral" broker in his advice to Obama, but his preferred policy positions tended to be tactical judgments

rather than ideological convictions, in contrast to Vice President Cheney in the Bush administration (Scheiber 2010).

Emanuel was seen by Obama critics as a combination of Svengali and Rasputin. Critics on the right saw him as an advocate of big government and partisanship; critics on the left saw him as being too willing to betray Obama's campaign promises and compromise with Republicans (Baker 2010; Scheiber 2010). He was attacked for being one of the Chicago insiders who supposedly insulated Obama from broader sources of advice. He was also defended for being a realist who tried to save Obama from idealistic policies (such as the closing of Guantanamo, the civil trial of KSM, and comprehensive health care reform) favored by his supporters on the left, (Milbank 2010; Luce 2010; Gelb 2010; Alexander 2010; Horowitz 2010a).

Cabinet secretaries in the Obama administration often resented their treatment by Chief of Staff Emanuel, who they felt treated them as his "minions" rather than as major administration officials (Luce 2010). They were required to send weekly reports to Emanuel, who returned them with specific comments and instructions (Baker and Zeleny 2010). As in other administrations cabinet secretaries often felt that the president paid too much attention to his inner circle of campaigners (in this case the Chicagoans Jarret, Axelrod, and Gibbs) and not granting enough access to old Washington hands and cabinet officials (Luce 2010).

During his first two years in office Emanuel was the first to see the president in the morning to plan out the day's priorities, prior to Emanuel's staff meeting at 7:30am. Emanuel was also the last person to see Obama in the evening, when the president received a briefing book on policy issues and the next day's events (Kornblut and Wilson 2010). In addition to Emanuel, the only other White House staffers to get copies of the briefing were Biden, Jarrett, Axelrod, and Gibbs (Kornblut and Wilson 2010).

Emanuel's style as chief of staff can perhaps be best illustrated by contrasting him with his successor, Pete Rouse. A month before the midterm elections in 2010, Emanuel announced that he was leaving the White House to return to Chicago to run for mayor, a long-time goal of his. At the same time, President Obama appointed his former Senate chief of staff, Pete Rouse, as Emanuel's successor. Rouse had also previously served as chief of staff to Senator Thomas Daschle; he was so skilled in his job that he was known as the "101st Senator." Rouse had been with the White House from the beginning of the administration as a "senior adviser" to the President. His duties were not fixed, but ranged across White House trouble spots, particularly personnel friction.

In temperament Rouse was much more similar to Obama than to Emanuel; one might even consider Rouse to be the "anti-Emanuel (Stolberg 2010). He was low-key rather than histrionic; in contrast to Emanuel, he seldom or never use foul language. Perhaps the President summed it up best when he praised Rouse as "completely ego-free" (Kornblut 2010). Rouse was thus much more of an honest broker, internal manager, and behind-the-scenes actor than was Emanuel, who had strong views on policy issues and how they related to political realities.

As the two year mark in his presidency approached, President Obama began to make a number of changes to the top levels of his White House staff in addition to replacing Rahm Emanuel with Pete Rouse. The president's economic team underwent significant changes. National Economic Council chair Larry Summers as well as OMB Director Peter Orszag would be gone. Obama appointed Jack Lew, who had previously served as President Clinton's OMB director, to replace Orszag. Austan Goolsby, who had been on the Council of Economic Advisers, took over as chair when Christina Romer left the administration. National security adviser James Jones was replaced by his deputy, Thomas Donilon, and it was likely that Secretary of Defense Robert Gates would retire early in 2011. Obama advisor David Axelrod and deputy chief of staff Jim Messina left to work on the reelection campaign, and David Plouffe, who had run Obama's 2008 campaign came into the White House to replace Axelrod. Other senior staff changes were expected to be made as the Obama administration shifted gears from its initial agenda facilitated by a Democratic House to its second two years facing a Republican House and a more narrowly split Democratic Senate.

Conclusion

President Obama's first two years in office illustrated the verity that all presidents since Eisenhower centralized policy advice in the White House at the expense of cabinet secretaries. Obama's experiment with delegation of legal policy to Attorney General Holder was soon derailed when political backlash led Obama to adopt a more conservative approach to the prosecution of the 9/11 and other detainees. Obama did not initiate the extensive use of White House "czars," but he continued the trend, and probably deputized more White House coordinators of administration policies than other presidents. As in all other modern presidencies, cabinet secretaries chafed under the direction of White House aides, particularly Rahm Emanuel. As chief of staff, Emanuel played the traditional role of strong director of White House process and policy. Since the Ford and Carter attempts to run the White House without a chief of staff, no other president has tried to do without a director short of the president. Nevertheless, Obama himself became deeply involved in the details of all of his major policy priorities, particularly economic recovery, health care reform, and Afghanistan strategy. The congressional elections of 2010, however, ensured that President Obama would not undertake major new domestic initiatives in his second two years in office.

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