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Editor

Innocent until Nominated

The Breakdown of the Presidential Appointments Process

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Contents

1 The State of the Presidential Appointments Process — 1
G. Calvin Mackenzie

2 Presidential Appointments: Recruiting Executive Branch Leaders — 50
James P. Pfiffner

3 Why Not the Best? The Loyalty-Competence Trade-off in Presidential Appointments — 81
George C. Edwards III

4 First Impressions: Presidents, Appointments, and the Transition — 107
Stephen Hess

5 The Senate: An "Obstacle Course" for Executive Appointments? — 160
Burdett Loomis

6 The Senate as a Black Hole? Lessons Learned from the Judicial Appointments Experience — 173
Sarah A. Binder

7 Repetitiveness, Redundancy, and Reform: Rationalizing the Inquiry of Presidential Appointees — 196
Terry Sullivan

8 Appointments Past and Future: How Presidential Appointees View the Call to Service — 231
Judith M. Labiner and Paul C. Light

9 "Political Hacks" versus "Bureaucrats": Can't Public Servants Get Some Respect? — 254
E. J. Dionne Jr.

Contributors — 265

Index — 267

CHAPTER TWO

Presidential Appointments: Recruiting Executive Branch Leaders

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THE UNITED STATES Constitution vests the "executive power" in the president and commands that "the laws be faithfully executed." 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—responding to the wishes of its citizens through execution of the laws—depends crucially on capable civil servants. The effectiveness of these civil servants in the executive branch, in turn, 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 (OPP) in the White House Office is the organizational entity 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 with each change of administration the Office of Presidential Personnel is formed anew to recruit leaders for the top levels of the executive branch.

The primary duty of the Office of Presidential Personnel is to help repopulate the leadership levels of the executive branch, a crucial task in serving the nation. The first section of this chapter examines the development of the recruitment function in American government and the insti-

tutionalization of the Office of Presidential Personnel over the past fifty years. The OPP did not exist in 1960; by 1981, more than a hundred people were working on political recruitment.

In addition to serving the presidency, the Office of Presidential Personnel also serves individual presidents. All presidents want to mold their administrations to fit their policy agendas and to reflect the values of the coalitions that put them in office. This task calls for close attention to the wishes of the individual president not merely to recruit the individuals the president 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 his or her policy directives. The second section of this chapter explores the OPP's relationship with the president in recruiting presidential and other political appointees.

Third, the OPP has important obligations to the individual Americans it is trying to recruit. The presidential nomination and appointments process is complex, conflictual, and difficult. Evidence collected by the Brookings Institution's Presidential Appointee Initiative shows that many presidential nominees, despite their enthusiasm for coming to work in Washington, are less than enchanted by the way they have been treated in the process of presidential nomination and confirmation by the Senate. The final section of this chapter examines the appointments process from the perspective of the nominees and suggests ways that their experience might be improved in the future.

The Office of Presidential Personnel: Serving the Nation

Although presidents had made thousands of political appointments through the years, until the middle of the twentieth century they lacked the personal staff needed to exercise significant control over those choices. 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 reliance upon the political parties. As the institutional capacity necessary to support a growing presidency evolved, however, it also acquired some of the drawbacks of large organizations. The whole process began to slow, and the time necessary for bringing on board the president's team increased significantly.

The Institutionalization of the Office of Presidential Personnel

President Harry S Truman was the first president to place one person, Donald Dawson, in charge of advising him on 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.[1] He did not have the capacity to operate independently of the Democratic Party, but his appointment was the first significant step toward the development of presidential independence.

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

Despite his personal distrust of patronage, Eisenhower was subjected to heavy pressure from the Republican Party for jobs 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 and placed in the hands of Eisenhower's chief of staff, Sherman Adams.

Shortly after his inauguration in March 1953, Eisenhower created, through executive order, a new class of political appointments, known as Schedule C positions. By design, these positions were at lower-than-executive levels and policy determining or confidential in nature. About two hundred positions were created by the 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 a new position, special assistant for personnel management.

When John F. Kennedy was elected, he did not want to turn recruitment for political appointments over to the Democratic National Committee and assigned his aides in the White House the task of handling political personnel. His campaign manager, Larry O'Brien, and several other staffers took care of placing political loyalists who had supported Kennedy in the campaign as well as managing patronage more broadly. To fill the top levels of his administration, however, with "the best and the

brightest," Kennedy created a "talent hunt" that was headed by a separate team under Sargent Shriver. This appointments team would not merely screen applications that came in but would also 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 syndrome 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."[2]

Lyndon B. Johnson continued Kennedy's practice of putting his own aides in charge of political personnel. He asked John Macy to come to the White House to 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.[3]

The campaign run by Richard M. Nixon had not been dependent on the Republican National Committee, and he intended to run his White House with his handpicked supporters. After the inauguration, the personnel operation was taken over by Peter Flanigan, who initially had fifteen staffers working for him. The ability of the White House to control presidential appointments was undercut, however, by President Nixon's original intentions to have his cabinet secretaries pick the best people for their departments rather than tightly controlling appointments from the White House.

Nixon soon became disillusioned with his "cabinet government" approach to political appointments: he felt that his cabinet secretaries were not implementing his priorities and were choosing appointees who were loyal to them but not necessarily to Nixon himself. So in 1970 he brought Fred Malek from his position at the Department of Health, Education, and Welfare to run the political appointments process at the White House. Malek planned to create a "professional executive search capacity" in the White House. In his opinion, before his arrival the search was primarily reactive rather than actively seeking out the best executive talent. "What 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."[4] Malek eventually had thirty to forty staffers working in the White House personnel office.

Jimmy Carter's personnel operation began in the summer of 1976. Carter took his possible transition into office seriously, and because 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 to prepare lists of possible appointees to political positions. The operation in Atlanta, headed by Jack Watson, collected thousands of resumés for cabinet and subcabinet positions, but much of the preparation work they did was ignored once Carter was elected because campaign officials, under the direction of Hamilton Jordan, felt that campaign workers had been excluded from serious consideration. In the battle following the election, Jordan won.

Even if all of the work of the talent inventory program operation had survived intact, however, 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. Not all cabinet secretaries were as supportive of White House policy direction as Carter had expected, however, and many of the subcabinet appointees were more loyal to their immediate superiors than to Carter.

In 1978, having decided to abandon his cabinet government approach, President Carter brought in Tim Kraft, and then Arnie Miller, 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."[5] Miller began to take control of the appointments process, but it was already halfway 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.

President 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 with previous administrations, this would include political appointments below the presidential level, such as noncareer Senior Executive

Service (SES) and Schedule C appointees. To emphasize the importance of political appointments, James was given the title of assistant to the president for presidential personnel and an office in the West Wing of the White House, two important precedents. To handle the large volume of appointments and tighter scrutiny, the Office of Presidential Personnel was expanded considerably, and James had about a hundred people to assist him. The Reagan personnel operation was the most thorough and sophisticated approach to date.

President George Bush continued to maintain control of political personnel in the White House through Chase Untermeyer and Constance Horner, directors of his 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.

President Bill Clinton's transition efforts were centered with the president-elect in Little Rock, Arkansas, but his political personnel operation was at the Washington end of the transition. Including volunteers and professionals, the total number of people working on personnel operations approached three hundred.[6] The operation handled a huge volume of applications and resumés, aided by new scanning and computer technology. The personnel efforts were hindered, however, 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 the personnel office. Soon after his appointment, however, Clinton designated Riley to be his secretary of education. Clinton then appointed his aide, Bruce Lindsey, to be 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 a hundred people working in it, though by the summer of 1993 that number had been cut in half and was down to thirty-five by the end of September.[7]

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, were gradually replaced by an increasingly professionalized executive recruitment capacity.

—The recruitment 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 OPP was extended not only to presidential appointments but also to what are technically agency head appointments (noncareer SES and Schedule C positions).

—The size of the office grew from six people in the Kennedy administration to more than a hundred staffers at the beginning of the Reagan and Clinton administrations.

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. 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.

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, but the task of the Office of Presidential Personnel is quite a bit broader. The OPP must also recruit many other presidential appointees, including full-time positions on commissions as well as ambassadors (185), U.S. district attorneys (94), and U.S. marshals (94). A total of 1,125 full-time presidential appointments require Senate confirmation.

In addition to presidential appointments, lower-level political appointments are available to each administration to help implement its priorities. These include noncareer appointments in the Senior Executive Service (created in 1978), which can amount to 10 percent of the total career SES of around 7,500. Noncareer SES appointments presently number about 720. Schedule C positions, a total of 200 when first created in 1953, now number 1,428. These latter two categories of political positions are technically appointed by cabinet secretaries and agency heads. Since the Reagan administration, however, they have been controlled by the Office of Presidential Personnel. Although noncareer SES and Schedule C appointments are not as important as presidential appointees, their screening and control by the OPP create a significant additional burden on the office.

These appointments are directly concerned with the leadership and control of the executive branch by the president, but the OPP also advises the president on several thousand part-time appointments, many to boards and commissions that may meet several times a year. A total of 490 part-time presidential appointments requiring Senate confirmation are made at the president's discretion, in addition to 1,859 that do not require Senate confirmation.

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 daunting challenge in helping the president fill the positions. Although in the nineteenth and early twentieth centuries the number of appointees, including postmasters, customs inspectors, and other field positions, was considerably greater than at present, those positions were filled as patronage by political parties. Now the positions are used directly to provide leadership for the executive branch; they 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 the total number of nominations and appointments they have been able to make in the first year of their presidencies. This information is presented in table 2-1.

The slower pace of the Bush administration is explained by the fact that his was a "friendly takeover." That is, Bush took over following eight years of the Reagan administration, with political positions already filled with loyal Republicans, and he had no need to rush appointments. In contrast, during a party turnover transition, the top levels of the government are 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 from the Reagan, first Bush, and Clinton administrations how many months had passed from the time they were first contacted by the White House until they were confirmed by the Senate. Evidence for the slowing process can be seen in table 2-2, which illustrates a comparison of the experiences of those appointees from 1984 to 1999 with those of a sample from 1964 to 1984 who were surveyed

Table 2-1. *First-Year Nominations, by Administration, 1977–93*
Number

	Carter (1977)	*Reagan (1981)*	*Bush (1989)*	*Clinton (1993)*
Nominations requiring Senate confirmation	682	680	501	673
Total confirmed	637	662	432	499

Source: Data from James P. Pfiffner, *The Strategic Presidency: Hitting the Ground Running*, 2d ed. (University Press of Kansas, 1996), p. 168.

earlier by the National Academy of Public Administration. Table 2-3 demonstrates the increasing time necessary for a new administration to get its appointees on board in a different way, by comparing the past three administrations.

The increased numbers of positions and the increasing scope of the OPP are the primary, but by no means the only, factors involved in the slowing pace of presidential appointments. Since 1978 a number of ethics laws have tightened requirements for holding high positions in the government, including the disclosure of financial information. Nominees often have to hire consultants to help them, and filling out the forms takes a considerable amount of time. With scandals in recent administrations, those who vet nominees have become more cautious, taking extra time to make sure there are no skeletons in the closets of potential nominees. This caution has rubbed off on the Federal Bureau of Investigation (FBI): not wanting to miss something important, they take extra care and time to do their background investigations. The resources and personnel of

Table 2-2. *Duration of Appointments Process as Reported by Nominees, 1964–99*
Percent unless otherwise specified

Duration 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
Number of appointments	532	435

Source: Data from Paul C. Light and Virginia L. Thomas, *The Merit and Reputation of an Administration: Presidential Appointees on the Appointments Process* (Brookings and Heritage Foundation, 2000), p. 8.

Table 2-3. *Duration of Appointments Process as Reported by Nominees, by Administration, 1984–99*
Percent unless otherwise specified

Duration	*All*	*Reagan*	*Bush*	*Clinton*
1 to 2 months	15	21	23	7
3 to 4 months	26	36	25	21
5 to 6 months	26	29	24	26
More than 6 months	30	11	25	44
Number of appointments	435	107	127	201

Source: Data from Light and Thomas, *The Merit and Reputation of an Administration*, p. 8.

the FBI are stretched thin at the beginning of each administration in performing 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 the completion of 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 gender and racial diversity among its appointees. If the president wants to be personally involved in a large number of lower-level nominations, as did President Clinton and Hillary Rodham Clinton in 1993, it will take longer. The size of the OPP staff is also a factor. Although the number of OPP staffers in recent administrations has been sufficient to the task, 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) 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, require approval at various 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 had the appointees 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 1993, only ten of twenty-four Defense Department positions requiring Senate confirmation had been filled, and of the twenty-two positions in the armed services, only one had been confirmed.[8] By December 12, 1993, the Department of Defense had filled nineteen of the forty-six available jobs.[9] 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.[10]

The Office of Presidential Personnel: Serving the President

The first job of the OPP is to advise the president in matching the right nominee with the right position, but for several reasons this is not a simple task. The personnel office must be ready to act 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 the OPP. Intense pressure for appointments will buffet the process from the campaign, Capitol Hill, interest groups, and the newly designated cabinet secretaries. Perhaps most important, the newly elected president's policy agenda will not be fully implemented until most of the administration's appointees are confirmed and in office. Each of these factors presents a challenge to an incoming administration.

The Initial Onslaught and the Need to Plan

Whereas the number of positions that can be filled by each new president amounts to several thousand, 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, unsolicited by the administration. The deluge begins the day after the election (and sometimes even before), and the OPP must be ready to handle the flood of paper.

Thus preelection preparation is crucial, but it is also 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. If this preelection planning is not also coordinated with the campaign, rival power centers will emerge.

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. In April 1980, Edwin Meese asked Pendleton James to begin planning a transition, even before Reagan had been nominated. Meese was in charge of both the campaign and the transition operation, so the conflict that marked the Carter transition was absent, and because the planning was done entirely in secret, the attention of the press did not generate rivalries within the Reagan camp.

Former presidential recruiters attest to the need for the personnel operation to be ready to move immediately. Arnie Miller, President Carter's recruiter, characterized the pressure of applicants as "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."[11] "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," Pendleton James observed. "The guys in the campaign were only worried about one thing: the election night. I was only worrying about one thing: election morning."[12]

By the inauguration in 1989, about 16,000 resumés had come into the Bush transition operation, including a ten-foot stack of 1,500 resumés from the Heritage Foundation. There was no letup after the inauguration, and by the end of May more than 45,000 applications and recommendations had been received, a staggering amount of paper. During the Clinton transition the personnel operation had received 3,000 resumés by the end of their first week, and by February 1993 they were receiving 2,000 a day.[13] According to Robert Nash, the OPP director for President Clinton, the office's computers contained 190,000 resumés in the last year of the administration.[14] Many of them were not solicited or from serious candidates, but the numbers are nonetheless daunting.

Part of the problem is that, although many of these applications for jobs are unsolicited and come from people who are clearly unqualified, some come from people with powerful sponsors, especially in Congress.

The staff reading these applications must have the political sensitivity to be able to judge when the recommendation from Capitol Hill is serious and when it is merely a courtesy sent to please a constituent. The appropriate letter must then be generated to reply to the member. There also has to be someone who will recognize an applicant who 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. Jan Naylor Cope, the deputy director of the presidential personnel office in the Bush administration, has recalled that at a Washington social occasion at a hotel an eager office seeker pursued her into a stall in the women's room to present her with a resumé. She was also approached in restaurants and in church by office seekers.[15] Looking forward to a break from work, Veronica Biggins, the OPP director for President Clinton, went to a lunch with a friend. When she arrived at the restaurant, however, her friend had "a stack of resumés" to discuss. "There is no such thing as friendship when you are indeed director of Presidential Personnel," she concluded.[16] Edwin Meese recalls that during the Reagan transition three resumés were thrust upon him while he was attending the funeral of a relative.[17]

Personal Presidential Participation in the Recruitment Process

By the time of the inauguration, the president and the OPP will have had to establish procedures to have potential nominees vetted by the White House counsel's office for conflict of interest, cleared by FBI investigations, and checked for taxes paid through the IRS. The substantive vetting and judgment about candidates are the job of the OPP and the president, however. Some presidents have been closely involved in the process of selecting nominees, and some have largely delegated that task to the director of the OPP and the chief of staff.

President Johnson was closely involved with the selection process and took personal interest in individual selections. John Macy, also chair of the Civil Service Commission at the time, has remarked 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."[18] President Gerald R. Ford was also actively involved personally in recruiting appointees for his administration. His personnel recruiter, Douglas Bennett, had three regularly scheduled meetings with the president each week, sometimes alone and sometimes with the chief of staff.[19] William Walker, when he was head of recruitment, met with Ford for an hour every Tuesday and Friday afternoon.[20]

Presidents Nixon, Carter, and Bush preferred to work from paper memorandums and most often approved the recommendations made by their OPP directors in conjunction with the chief of staff. Fred Malek 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 the president approved their recommendations.[21] President Carter also preferred to work from paper—that is, he would read memorandums and reports in detail and respond on paper rather than personally discussing potential appointees. According to Arnie Miller, "We had a similar problem with Carter really only reading memos—five or six on appointments every night."[22] Miller sometimes wanted the president to personally ask a prospective nominee to take the job, but "I couldn't get Carter to ask."[23]

Chase Untermeyer has observed that "presidents often hate personnel" recruitment; once he and Chief of Staff John Sununu had agreed on a nominee, 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 percent of the cases he then signed it."[24] Untermeyer would occasionally talk with the president on the phone about a nominee, but this did not happen 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. These included a philosophical commitment to the Reagan agenda, unquestioned integrity, the toughness required to take political buffeting, the necessary competence to handle the position, and the ability to act as a "team player."[25] Once a name was being seriously considered for recommendation to the president, it had to go through a set of checkpoints to ensure that anyone who had serious reservations about a candidate could register them. The process included the OPP, the departmental secretary, the troika (Edwin Meese, James A. Baker, and Michael Deaver), the counsel's office, the legislative liaison, Lyn Nofziger's political shop, and the domestic or national security adviser.[26]

James met with the troika daily at five o'clock in the afternoon to consider the candidates. Finally, James—sometimes with others of the troika—met with President Reagan every Tuesday and Thursday at three in the afternoon for final decisions on nominees. Each candidate would have a four-page file: The first page described the position and the qualifications the official needed. The second page contained a summary of the candidate's qualifications; sometimes there were several candidates. The third page would have a summary of recommendations for the candidate from important politicians. The final page would list the people who had been considered but rejected by those making recommendations.[27]

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 his administration. Cabinet members complained about appointments languishing in the president's in-box.[28] Although it is clearly the prerogative of the president to be personally involved—after all, these are presidential appointments—the process tends to work more smoothly when 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 returned in 1995, to be director of the OPP, 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 did not talk much with the president about nominees, but 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."[29]

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. It is the view of many experienced presidential personnel recruiters, however, that several principles should guide those who manage the appointment process.

First, the role of the director of the OPP should be that of a neutral broker who is not trying to foster personal policy preferences. Pendleton James argues that he or she should be a person who "[has the] confidence of the president, [is] 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."[30]

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."[31]

James illustrates the problem of end runs with a story: President Reagan, approached at a social occasion to make a certain appointment, agreed on the spur of the moment. As it turned out, the person making this request had not supported Reagan in the campaign, and 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-run 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.'"[32] Arnie Miller has complained that in the Carter administration the credibility of the personnel operation was undercut by other White House staffers attempting to place certain candidates outside the process but also notes that "we were able to finally put a lid on that."[33]

The point is that all recommendations for appointments (including those of the president) should be coordinated through the OPP so that they can all come under the same scrutiny and vetting. The president can then make a fully informed decision. If discipline is not enforced from the top down, the process will be subject to end runs, 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. A personnel request made to the president should be directed to the OPP. The president who short-circuits the process and decides on an appointment without using the process will soon be overwhelmed by office seekers. Using the 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 has 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 decisionmaking, [the decisionmakers] 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.[34]

The challenge for the 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 the OPP.

Conflict over Subcabinet Appointments

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 to ensure that the government is led by people who are committed to the political philosophy and policy agenda of the sitting president. As long as these purposes are consistent with putting qualified people in charge of government programs, there is no problem.

From the perspective of the OPP, however, pressures for patronage are frustrating. Pressures for appointments come from all sides: the campaign, the political party, job seekers, and 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."[35] 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."[36]

President Carter was criticized by the Democratic National Committee and by members of Congress for not appointing enough members 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."[37] The problem was that Carter had not used 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 the position have been run through the OPP process, he can make a fully informed decision with confidence.

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 his or her management team, and because the secretary will be held accountable for the performance of the department, 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.

According to Chase Untermeyer, a politically savvy cabinet secretary will come armed with a list of what he or she calls "my appointments." The OPP director has to counter this approach and assert the primacy of the OPP. One of the ways to do so is to have a list of potential nominees ready. As the old political saying goes, "You can't beat somebody with nobody." More important, however, 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 get 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.[38]

The perspective of the cabinet secretary was expressed by Frank Carlucci, the 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 paperhanger."[39]

Managing the Appointments Process

Some lessons have been learned over the past several administrations about how to design the most effective recruitment operation for the president. First, if the OPP is to be an effective recruiter and screener for the president, its authority 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. 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 they 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. Arnie Miller recalls, "I came [to the White House] 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."[40]

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.[41]

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, heads 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 [that they want], 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 I'm standing in the way of letting [them have their appointment].[42]

The Office of Presidential Personnel: Serving Presidential Nominees

The first duty of the 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, but the OPP also has important obligations to the Americans who want to serve their country. The United States has a long legacy of individual citizens serving in both the executive and the legislative branches of government for several years and then returning to private life. This practice brings in energetic people with new ideas who want to participate in the governance of their country. The problem is that recently many of these idealistic Americans have had distressing experiences with their nominations to high office.

Although high-level political appointments have sometimes encountered opposition and occasional 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 troublesome 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."[43] Another Clinton nominee, Henry Foster, was dismayed to find that most of the political controversy surrounding his nomination as surgeon general concerned 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 investigate the backgrounds of high-level nominees, searching for embarrassing peccadilloes that can be magnified to gain partisan leverage. "Opposition research" by the opposing political party or interest groups often finds its way into the newspapers. Stephen Carter, in his book *The Confirmation Mess*, writes that

> in America 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 . . . [turning] tiny ethical molehills into vast mountains of outrage, while consigning questions of policy and ability to minor roles.[44]

After the hearings on the nomination of Clarence Thomas to the Supreme Court, 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.[45]

Although these extreme examples are not typical, there is ample evidence that the experience of the average presidential nominee has been deteriorating in recent administrations. The Presidential Appointee Initiative, which has surveyed appointees since 1984 about their experiences as nominees, has 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. Although 71 percent thought of the process as "fair," many also gave negative reports of their experiences. Twenty-three percent thought their experience was "embarrassing," 40 percent thought it "confusing," and 47 percent had accepted it as a "necessary evil."[46] These are disappointing findings for a process that is intended to bring citizens into the government for what should be considered a high honor. 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 an unhappy experience for many.

Having gone through it, many of the candidates clearly understood the process 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." This indictment is striking, given that it comes from those who have successfully survived the process and have served as presidential appointees in the government. As for the Senate confirmation process, 46 percent thought that it 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). Making the financial calculations to fill out the financial disclosure forms was complicated enough that 25 percent of appointees spent between one thousand and ten thousand dollars for outside expert advice, and 6 percent had to spend more than ten thousand dollars.[47]

One of the main problems with the nomination process is that having agreed to serve, nominees are often left in limbo for some time, 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 the OPP "stayed in touch" with them during the process, 51 percent graded the OPP's performance as average or below average. Significant numbers also gave average or lower grades to the OPP for competence (35 percent), responding quickly to questions (36 percent), and caring about the nominee's confirmation (38 percent). Thirty-nine percent of appointees said that they received either not enough information 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.[48]

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. Another factor to be considered is the huge volume of nominations that the OPP must handle and the limited resources that it has at its disposal. The OPP is under pressure, as are all units in the Office of the White House, 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.[49] A number of steps could be taken, however, to improve the experience of presidential nominees.

Conclusion: Improving the Appointments Process

Although the capacity of the OPP and the appointments process might be improved, the institution itself and its location in the Office of the White House are 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 (OMB) might be a better location and provide more institutional memory. More institutional memory is certainly desirable, but the priority of recruiting politically loyal appointees and its inherent political sensitivity makes the OMB the wrong home for the presidential personnel office. The 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 the OMB, the danger of politicization would be real and too high a price to pay.[50] The OMB is not the place for the Office of Presidential Personnel.

Others have suggested that the national headquarters of the political parties would be a good location for the political recruitment function. Political sensitivity is the strong point of national party committees, and they could keep data banks over periods of time when the presidency was controlled by the other political party. Although 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.

During the second half of the twentieth century, the personnel function shifted from the political parties, where it had resided in the nineteenth and early twentieth centuries, to the White House. The reason for this shift is that presidents felt they needed more personal control over their appointments. The proliferation of primaries after 1968 accelerated the shift in control over appointments. With the increase in the number of primary elections, political parties had to remain neutral among the various candidates of their party until the nomination had been made. 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 has noted,

> 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.[51]

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 nonpartisan 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.[52] The rationale for these proposals is that the need for the OPP to recruit and screen for thousands of positions reduces its effectiveness and unduly lengthens the appointments process. This in turn slows the staffing of new administrations.

Presidents believe that having their own people in place throughout the government will give them the extra leverage they need to have a responsive government. The reality is, however, that no president knows most of the people who are appointed in his or her name. Appointees are drawn 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 growing number of appointees multiplies the layers of hierarchy between the president and those who actually do the work of government and contributes to the "thickening" of the government.[53]

According to Bush's 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 believes 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 appointees requires too much overhead and maintenance for the value to the president, substantively or politically. . . . Those special assistants interject themselves into the decisionmaking 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.[54]

The point has been made that early planning is essential for an effective appointments process. A personnel operation 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 should ensure that people who work in the OPP are not there for the primary

purpose of finding themselves a job in the administration. According to Chase Untermeyer's deputy, Jan Naylor Cope, 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."[55]

The appointments 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 has remarked 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."[56] A number of attempts at orientation programs for new appointees were made 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."[57]

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 the private sector as an executive recruiter, in addition to his government experience, "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. Some 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."[58]

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 customers 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.[59]

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 hectic schedules. The issues that need to be covered include the legal dimensions of conflict-of-interest regulations, how to deal with the press, relations with Congress, the functions of the 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 high-level veterans of previous administrations.[60]

From the surveys of the former appointees cited earlier, 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 points out "the sad truth" that "often nominees feel abandoned in the confirmation process. . . . It's extremely important for that nominee of the President to have somebody holding his or her hand in getting through the process."[61]

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."[62] Arnie Miller agrees:

> A separate confirmation unit should be established in the White House with members of the PPO [Presidential Personnel Office], 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.[63]

In addition, nominees need to be 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."[64] Veronica Biggins, the director of the 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." Edwin Meese has 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."[65]

Other possible improvements to the process include giving nominees clearance forms immediately, even before their nominations are certain, so that they can get a head start on gathering the information. Veronica Biggins suggests that during the transition a new administration might give to the FBI the names of those it expects to nominate, even if it is not certain which positions they will be nominated for, just to give the bureau a head start on investigations.[66]

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 that they take a presidential appointment if given the opportunity, and 29 percent would "somewhat encourage" that. Only 8 percent would discourage a friend from taking such an appointment.[67] The rewards of the job are many—the highest ranking are "accomplishing important public objectives" and "dealing actively with challenging and difficult problems."[68]

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.

Notes

Unless otherwise noted, all quotations in the notes are taken from interviews conducted by Martha J. Kumar in 1999 or 2000 as part of the White House Interview Program.

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2. G. Calvin Mackenzie, *The Politics of Presidential Appointments* (New York: Free Press, 1981), p. 27.
3. See Weko, *The Politicizing Presidency*, p. 32.
4. Fred Malek, interview by Martha Joynt Kumar, White House Interview Program, November 23, 1999, p. 2.
5. Arnie Miller, interview by Martha Joynt Kumar, White House Interview Program, December 16, 1999, pp. 13, 6.
6. Weko, The *Politicizing Presidency*, p. 100.
7. Ibid., pp. 100, 125, 126.
8. "The Pentagon's Missing Civilians," editorial, *Washington Post*, June 27, 1993, p. C6.
9. "Help Wanted, Call Clinton (EOE)," *Washington Post*, December 10, 1993, p. A29.
10. Jon Healey, "Administration Fills Its Slots, Congress Plays Waiting Game," *Congressional Quarterly Weekly Report*, vol. 51, no. 18 (May 1, 1993), p. 1060.
11. *Recruiting Presidential Appointees: A Conference of Former Presidential Personnel Assistants* (Washington: National Academy of Public Administration, 1984), p. 10.
12. Pendleton James, interview by Martha Joynt Kumar, White House Interview Program, November 8, 1999, pp. 21, 5.
13. See James P. Pfiffner, *The Strategic Presidency* (University Press of Kansas, 1996), p. 164.
14. Robert Nash, interview by Martha Joynt Kumar, White House Interview Program, September 1, 2000, p. 13.
15. Jan Naylor Cope, interview by Martha Joynt Kumar, White House Interview Program, June 8, 2000, pp. 28–29.
16. "Staffing a New Administration," panel discussion, May 16, 2000, in Alvin S. Felzenberg, ed., *The Keys to a Successful Presidency* (Washington: Heritage Foundation, 2000), p. 19.
17. Ibid., p. 20.
18. Quoted in Richard L. Schott and Dagmar S. Hamilton, *People, Positions, and Power: The Political Appointments of Lyndon Johnson* (University of Chicago Press, 1983), p. 5.
19. Douglas Bennett, interview by Martha Joynt Kumar, White House Interview Program, November 15, 1999, p. 2.
20. *Recruiting Presidential Appointees*, p. 11.
21. Ibid., p. 12.
22. Ibid.
23. "Staffing a New Administration," p. 20.
24. Chase Untermeyer, interview by Martha Joynt Kumar, White House Interview Program, July 6, 1999, p. 43.
25. "Staffing a New Administration," p. 10.
26. See Pfiffner, *The Strategic Presidency*, p. 61.
27. James, interview, p. 10; *Recruiting Presidential Appointees*, p. 14.
28. Miller, interview, p. 9.
29. Nash, interview, pp. 34–35.

30. James, interview, pp. 15, 16.
31. "Staffing a New Administration," p. 11.
32. James, interview, p. 8.
33. *Recruiting Presidential Appointees*, p. 10.
34. Constance Horner, interview by Martha Joynt Kumar, White House Interview Program, March 23, 1999, p. 31.
35. Quoted in Pfiffner, *The Strategic Presidency*, p. 70.
36. Quoted in Mackenzie, *The Politics of Presidential Appointments*, p. 46.
37. Jimmy Carter, *Keeping Faith* (Bantam Books, 1982), p. 61.
38. Untermeyer, interview, p. 10.
39. Frank Carlucci, secretary of defense in the Reagan administration, interview by the staff of the National Academy of Public Administration Presidential Appointee Project, Washington, 1985, quoted in Pfiffner, *The Strategic Presidency*, p. 66.
40. *Recruiting Presidential Appointees*, p. 13.
41. James, interview, p. 7.
42. Ibid., p. 7.
43. The note is printed in Elizabeth Drew, *On the Edge: The Clinton Presidency* (Simon and Schuster, 1994), p. 258.
44. Stephen L. Carter, *The Confirmation Mess* (New York: Basic Books, 1994), p. 5.
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48. Ibid., pp. 15, 7.
49. For an analysis of the cuts in White House staff during the Clinton administration, see James P. Pfiffner, "Cutting Staff No Easy Task for Clinton," *Maine Sunday Telegram*, December 12, 1993, pp. C1, C11.
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51. *Recruiting Presidential Appointees*, p. 21.
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53. Paul Light, *Thickening Government* (Brookings, 1995).
54. Horner, interview, p. 34.
55. Cope, interview, p. 7.
56. Untermeyer, interview, p. 28.
57. Arnie Miller, "Personnel Process for a Presidential Transition," in Mark Green, ed., *Changing America: Blueprints for the New Administration* (New York: Newmarket Press, 1992), pp. 739–50, 747.
58. "Staffing a New Administration," p. 47.
59. Malek, interview, pp. 8, 7.
60. 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 G. Calvin Mackenzie, ed., *The In-and-Outers: Presidential Appointees and Transient Government in Washington* (Johns Hopkins University Press, 1987), pp. 141–55.
61. "Staffing a New Administration," pp. 16–17.
62. Horner, interview, pp. 18, 5.
63. Miller, "Personnel Process for a Presidential Transition," p. 749.
64. Quoted in Light and Thomas, *The Merit and Reputation of an Administration*, p. 21.
65. "Staffing a New Administration," p. 18, 41.
66. Ibid., p. 18.
67. Light and Thomas, *The Merit and Reputation of an Administration*, p. 5.
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CHAPTER THREE

Why Not the Best? The Loyalty-Competence Trade-off in Presidential Appointments

GEORGE C. EDWARDS III

EVERY NEW ADMINISTRATION promises to nominate highly talented, well-qualified people to fill appointed positions in the executive branch of the federal government.[1] Yet every president nominates to positions of responsibility more than a few persons who do not satisfy the National Academy of Public Administration's call for "able, creative, and experienced people" who will serve as "the most important ingredient in the recipe for good government."[2]

Although there may be disagreement on just who qualifies as a "quality" appointment, almost everyone agrees that, overall, the quality of appointees could—and should—be higher. A survey conducted for the Brookings Institution's Presidential Appointee Initiative queried 435 senior-level appointees who served in the second-term Reagan and the Bush and Clinton administrations. Table 3-1 illustrates their mixed reviews of their fellow appointees. Clearly, there is room for improvement.

Given the intentions of all administrations to nominate "good" people, why do they so often fail to do so? Equally important, what can a new administration do to avoid making the mistakes of past administrations? To answer these questions, this chapter focuses on the competing criteria by which the White House evaluates potential appointees, delineates the reasons that presidents feel they need to emphasize loyalty in making their appointments, and then challenges both the necessity and the utility of weighing loyalty over competence.