

Managing Presidential Personnel in the Bush Administration

By Chase Untermeyer

I want to thank Lou Cordia and Ed Feulner and everyone here at Heritage for this forum and this chance to be in what I think is the largest gathering I have dared venture into since the election about ten months ago. This particular hospitality is one that I welcome, because Heritage has meant a great deal to us in the pre-election phase, during the transition, and ever since January 20th, in putting together a Bush Administration. It is exactly as Ed said — “People are Policy.”

Heritage was of particular value to me a year ago when first I came here and received the first of several lunches. I asked for guidance and suggestions of Ed and Lou and the entire organization here with regard to this business of making a follow-on Administration as vigorous and as principled as the Reagan Administration was. The Washington Executive Bank has made a great deal of difference, and with it, Heritage has, once again, shown its leadership and received its gratitude from a White House.

Historical Sketch. Today, I would like to look back a little bit more than just a year ago, to 1880, which was the year that wonderful curmudgeon, Henry Adams, wrote his classic novel, *Democracy*, a rather sour commentary upon the politics of his day. I want to remind you that we are speaking strictly of 1880 when I describe the scene that Adams did in his book. He told of

dozens of office seekers besieging the house, men whose patriotic services in the last election called loudly for recognition from a grateful country. A new president was to arrive in 48 hours and, as yet, there was no sign he properly appreciated their services. At the thought that their honestly-earned harvest of foreign missions and consulates, department bureaus, customs house and revenue offices, postmasterships, Indian agencies and Army and Navy contracts might now be wrung from their grasp by the selfish greed of a mere accidental intruder, a man whom nobody wanted, and everybody ridiculed, their natures rebelled, and they felt that such things must not be, that there could not be any hope for democratic government if such things were possible.

Again, I remind you that this was 1880. It has little more than historic interest.

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In that particular book, Henry Adams also observed that "all residents of Washington may be assumed to be in office, or candidates for office. Unless they avow their object, they are guilty of an attempt, and a stupid one, to deceive."

Staffing Philosophy. Well, it may not seem that all the residents of Washington are seeking positions, because we are trying to recruit from outside the Beltway as well. And I would like to share with you the history of that particular process, and in describing history — more than just chronology — I think you will see, also, the philosophy that went into the staffing of the Bush Administration.

It goes to the planning for Presidential Personnel, which I headed for then-candidate Bush about a year ago. We started out with a belief in the importance of people to policy. I had, in pursuit of that principle, many discussions, not only here at Heritage, but at other organizations around town, such as The Free Congress Foundation and the American Enterprise Institute; with Bob Tuttle, my predecessor as head of Presidential Personnel; and with Pen James and others who had been involved in personnel matters before.

Early in the transition planning process, in a series of meetings held at the Vice President's residence — I am happy to say with absolute secrecy — in the weeks preceding the election, a decision was made by then-candidate Bush, with Jim Baker and John Sununu in attendance, that a Bush Administration, if the voters so chose, would keep the appointees of President Reagan in place to provide the leadership and the oversight in the bureaus and departments until a Bush appointee arrived or until such time as they, themselves, might be recruited to go to other positions.

Six-Month Process. The great amount of time that it takes to staff an administration has been lengthening for well over a decade. The situation is not new; it has taken several months, at least in the decade of the 1980s, for any Presidential appointment to be made.

A case in point would be myself. In 1984, without any political problems, background problems, confirmation problems, it was six months to the day from when John Herrington called me to say that I was his choice to be Assistant Secretary of the Navy to the day I took the oath of office. That amount of time is fairly standard. It can be faster or slower, but only in the margins, and if we can be as crisp as to lay out a set formula, you can roughly divide that six-month period in thirds.

About one-third, or two months, consists of recruiting and interviewing and haggling, as necessary, with Cabinet departments or other bureaus to get the name to the point of clearance. It takes about another two months to get that person (who for the sake of this example has never been through a full-field FBI clearance before) through the check of his background and his financial statements to make sure that he has no financial conflicts of interest. The final period of time, which can be two months, less or more, is to get that individual confirmed by the Senate.

So it is no surprise that it does take half a year, or more, to fill any particular job. It can be a little shorter if a person has been through the clearance process before, in which case the FBI does not have to go back and re-interview his elementary school teachers or talk to every one of his former neighbors. The FBI only needs to go back and update that information.

Continuity in Offices. We decided, therefore, to use the Ronald Reagan appointees in place until such time as their successors came along. This strategy is one we could afford to adopt due to the historic fact that, for the first time in 60 years, an Administration of one party followed itself.

The Reagan Administration in 1981, the Carter Administration in 1977 and on back through time, took over from Administrations of the previous party. In the case of the Reagan Administration, they passed the word quite clearly that everyone who was in an appointed job under President Carter was to be out — gone, drawers emptied, lights turned off — as of noon on January 20, 1981.

We issued no such edict. There were resignations obtained from all appointees of President Reagan, and, over time, those resignations either were accepted or were not accepted. But the signal was out that President Bush wanted continuity in the various offices, because it would take a long time to complete the transition.

So we depended, in large measure, on having a Reagan-Bush Administration continue, so to speak, after January 20th.

There was further instruction which I was given before the election: that there was to be no effort to recruit individuals for jobs in the Bush Administration until after election day. That applied not only to recruiting people to serve in governmental positions but also to recruiting people to serve on the Presidential Personnel staff.

This was something Mr. Bush felt very strongly about for two good reasons. One was the concern that if word got out that such personnel recruitment was being done, it might then seem as if he were overconfident about the vote of the American people.

Getting Elected. But the second, shrewder reason was purely political, namely that the main business for any candidate is to get elected. If it were known that there was an office reachable by Metro or by crawling on one's knees, as required, where one could drop off a resume — or, even better, have a chance to work in preparation for the new Administration to come — you can bet that many people would have gone there rather than the campaign headquarters. It is after all the business of getting elected that counts, and not the thereafter.

When I have been asked, and have thought about, what could be done to speed up the process, intellectually I can answer that if you could do all kinds of personnel recruitment before the election — get the staff hired, get resumes together, perhaps do preliminary interviews, perhaps do many other things in the way of computer programs — it would mean that, from day one, you can start churning out the names. But if that were to have happened, it would have violated that second principle that candidate Bush insisted upon.

And I cannot get away from the conclusion that such pre-election activity would, in any election, for any party, in any year, be a deterrent to the main business at hand, which is getting elected. And as much management sense as it may make to start early, before the election, I have not quite figured out how to square that circle.

Perhaps in some future election, there will be an agreement by both Presidential candidates that they should allow their staffs to engage in pre-election transition planning and pre-election recruitment. Such an agreement would at least remove the first concern,

which is that candidates not seem grabby or unseemly confident. But you cannot get away from the fact that it would be a powerful distraction from the business of getting elected.

As a result, after November 8th, Ross Starek, my deputy and I (who had worked together quietly during that pre-election phase) had to start the business of hiring our staff and getting the organization put together. It took about a month, and while in the opinion of some that period of time was lost to recruiting other people, it has made all the difference.

Tapping Reagan Appointees. Clearly, you have to have a strong, able, spirited staff to be able to carry on the longer-range business of recruitment. We went after just such people, the kind of people we were able to get because of the luxury and benefit of having had a Reagan Administration directly in front of the Bush Administration. We were able to tap people who had served in political appointments in the departments and agencies themselves. Some of them had actually been the agency political personnel representatives for their Secretaries or Bureau Chiefs. Those are the kind of people we wanted, and those were the kind of people we took that extra time to get.

Another thing I did, a lesson that came from talking with Pen James, my spiritual predecessor of the start of the Reagan Administration, was to get a one-year vow of employment chastity from my staff. This meant that no one on our staff, including the Director, would leave for any other job for at least a year.

Pen was bedeviled by the fact that although he had recruited excellent, outstanding people during the transition and the early part of the Reagan Administration, they very cleverly set aside jobs for themselves in the second drawer down and, at the appropriate moment, took out the folder and said, "See you, boss." He therefore had to constantly rebuild his staff at a very difficult time.

Then came the very important business — and we are getting back again to the philosophy of how one recruits an Administration — of working with the Cabinet Secretaries-designate, and certain other principal officers, such as the Administrator of the EPA, or the Director of Personnel Management (OPM) and other independent agencies of the federal government.

Three Models. There are three lines of thought with regard to what relationship the White House should have with Cabinet Secretaries and others in the task of recruitment. There is the notion that you can let the Cabinet Secretaries choose their own people, on the perfectly legitimate grounds that they have to have confidence in those individuals and, therefore, should have the major say in recruitment.

In the pre-election transition study which I undertook, I talked to people who said that, in the Nixon Administration and in the Carter Administration, things were done this way. No doubt it was very efficient, but what is lost in that approach, of course, is an identification of that appointee with the President. It is, of course, by the hand of the President that each appointment is eventually made, but if one is truly recruited and hired by a Cabinet Secretary, then it is obviously to that Cabinet Secretary that that appointee will look.

So that model was not desirable.

The other model would be to have in the White House, a very strong, central personnel office, one which would make all the decisions and, in effect, place individuals regardless of

the opinion of the Cabinet Secretary. There is the notion that this model was the aim of the Reagan White House and the Reagan personnel office. In certain instances, such an appraisal may have been accurate, but in many other instances with which you would be familiar, it was far from the truth. The Cabinet Secretaries who had independent strength and standing in the Reagan government were just as able to place people whom they wanted in the Assistant Secretarial level positions as they might have been in a Nixon Administration. Just think of the people who went to Alexander Haig's State Department, who went to Drew Lewis's Transportation Department, and who went to Caspar Weinberger's Defense Department. These were people for the most part whom those very strong Cabinet Secretaries insisted on getting and whom they did get despite the desire of the Reagan personnel shop that those were directed all appointments be decided in the White House.

Practical Strategy. There is the third way, which is the George Bush way, which we have used in 1988-1989. It is, unquestionably, the longer way, but it is also, unquestionably, the best way to try to do this business, and that is that there is no strongly powerful personnel office force placing people. At the same time, Cabinet Secretaries are not automatically deferred to in their choices for subcabinet posts.

We aim to have concurrence between the Cabinet Secretary and the White House at Chief of Staff and the Presidential Personnel levels before the name goes to the President. This approach does take a little bit of extra time, because sometimes there are differences of opinion between the personnel office and the Cabinet Secretary as to who should be in a particular job. In other cases it may also take extra time because both sides are in such agreement that they know exactly who they want and together look for the specific individual.

But the key to this is not just peace, of an agreement before the name gets to the President to avoid having battles fought out in the Oval Office. It is very practical. Once an appointment is made — once that individual gets the piece of paper from the President and goes off to the Department of Health and Human Services, or Labor, or wherever — we in Presidential Personnel have gone on to something else ourselves and are thinking about the next job to be filled.

Acceptable and Compatible. It is not our responsibility, but it is within our minds that the chosen individual works productively for and is trusted by that Cabinet Secretary. Therefore, it does not do that appointee very much good to have been forcefully placed in a department if the Cabinet Secretary did not want that person there in the first place. If the Cabinet Secretary actively resents the presence of that individual it is very easy in the world of bureaucracy, especially among those who might have been at the game for decades, to freeze somebody out, not inviting him to meetings, or not getting him the memos, or whatever else it may take.

That is what we wanted to avoid. We wanted to have a good, qualified individual, and we also wanted that individual to be welcomed, acceptable, and compatible with the Cabinet Secretary.

And yes, it does take longer to do it the right way, but we are convinced it is the right way.

The criteria for selection that were used in all these discussions through to the present time, and into the future, were very simple, but rigidly adhered to. One is that the individual be compatible with the President's philosophy, because the whole framework of political appointments rests on the belief that the American people, in an election, choose a President and can rely on that President to choose people, in turn, who are going to reflect their mandate.

Indeed it is for this very reason why we have been most grateful to organizations such as Heritage for its rigorous probing of the Washington Executive Bank to help us get names.

The other factor is competence of the individual to do the job. In past times there were concerns, as at the start of the Reagan Administration, about being able to find somebody who could do the job but was also compatible with the President's philosophy. We had the luxury of being able to dip into the Reagan Administration and choose people who had experience in large measure, and to retain — in 37 instances, so far — people appointed by President Reagan in their current jobs.

Senate Objections. The other concern, obviously, is one of confirmability, whether the individual is going to be able to enjoy the support of the Republican minority in the Senate and not engender the outright furious opposition of the Democratic majority. That concern, I think, has been successfully dealt with. Although there have been two very sad and tragic objections by the Senate, namely Senator John Tower and Bill Lucas, the number of these difficult cases is rather small.

And I am happy to say that the "dog that did not bark," to use the Sherlock Holmes expression, was manifested in the number of howls at the quality of presidential appointees in 1989. There are some. There will always be factors, especially in a split government — with the Senate in the hands of the opposition — that will cause difficulties from time to time. As fresh as this week's very great welcome and overdue confirmation of Don Gregg as Ambassador to South Korea, we see that even those with howls have not led to more than those two unfortunate defeats.

The final thing, in terms of my charter from the President, was to fulfill his constantly stated commitment to having women and minorities of quality in his Administration. As I will say throughout this year, personnel placement is not a numbers game, and we should not be judged just on the basis of numbers.

The other side does things that way, which is so dehumanizing — seeing people in terms of quotas and as mere blocs. As they dig for our numbers, though, they will find them to be excellent.

Leadership Positions. What is really important with regard to what President Bush has been able to do with regard to women and minority appointments is the nature of the positions that those individuals hold. They are not token positions. They are leadership positions in the departments and agencies: as Cabinet Secretaries, Deputy Secretaries, Ambassadors, as appointees in the Department of Defense, as members and chairpersons of regulatory commissions, and many other key positions throughout the government. People of that degree of ability, and that degree of commitment to the President, are in those positions. So while we can very happily be judged on the numbers, it is the substance that really counts.

The figure I am happiest to tell the “number counters” is that President Bush, as of this week, within less than a year of taking office, has nominated more women to Presidential appointments than any previous President. He broke Jimmy Carter’s record of 72 women named in any one year just a few days ago with his 73rd appointment. And as of last week, the number was up to 77. And we are not stopping there. We are going to name more and more, and the President’s commitment will be fulfilled.

In terms of minorities, 13 percent of the President’s appointments are of minorities, and the question that always comes, whenever statistics enter this discussion, is: Are these numbers good or bad and compared to what? Looking at the nation’s population as a whole is not necessarily best, because the population as a whole consists of people of a variety of backgrounds and educational abilities and interests, et cetera.

Impressive Record. But a very interesting comparison with regard to those statistics I mentioned is with the senior ranks of the federal career workforce. In this case are individuals who have been named to their jobs over a series of many years, not just ten months.

The Bush record with women is 20 percent of all appointments — not the 50-plus percent of the population composed of women, but compared to the Senior Executive Service (SES), it is enormous. Only 8.7 percent of the Senior Executive Service are women, compared to 20 percent in the Bush Administration’s Presidential appointments. At the General Schedule (GS) or General Management (GM-15) levels, only 9.7 percent are women.

In terms of minorities, where the Bush Administration has 13 percent, there are only 6.2 percent of the Senior Executive Service who are minorities, and 7.3 percent of GS and GM-15s.

So against that standard, a very valid one, because Presidential appointees are immediately over these individuals, we are happy with the numbers.

If anything has characterized the concern over Presidential Personnel this year, it has been over the word “ethics.” It did not start with John Tower. It is not, as some people have suggested, in reaction to the ill treatment that Senator Tower received, that this Administration began to pay very close attention to the business of ethics as defined broadly.

It began, if you want to choose any point, in 1967, when George Bush, as a freshman Congressman, was one of the few to voluntarily disclose his own holdings and to join other Republicans in pushing for a federal law on disclosure.

Background Checks. President Bush has said that the test of appointment to office in the Bush Administration would be unquestioned character, integrity, talent, and dedication to public service. We can, in interviews and in looking at a resume, examine a person’s background. We can look at whether they have adequate experience for the job.

But resumes, as a rule, do not tend to tell you such things as whether a person has paid his income tax every year, and people in interviews do not tell you that they bash their kids up against the wall every night. These are things that we must rely upon the Federal Bureau of Investigation to find out. We could do a lot of background checking. But we turn to the

professionals instead. And there is a limit to what, in a democracy, in a non-police state, you can ask any law enforcement organization to find out.

But the Bureau does it with great diligence, and with our total respect. Yes, we wish that these background investigations could take less than two months, or whatever amount of time it takes; but we have not in any way criticized, nor do we plan to criticize, the Bureau.

The Bureau is not infallible, and perhaps there are people who have been cleared who should not have been. We may, in time, in some embarrassing article or two, discover such a problem. And, if so, we will deal with those individuals accordingly. But we have to rely upon, and we do rely upon, that clearance process, which is done under the leadership of my colleague, Boyden Gray, the White House counsel, rather than by Presidential Personnel. This division is a very crisp and, I think, needed one, the point that they do the background checking and we do the recruiting.

Eager Opposition. And we cannot forget one other simple fact that must be considered in getting a person through the hoops and loops of a presidential appointment. We now have a Senate in the hands of the Democratic Party, and our nominees are going to be given much greater scrutiny than they were in the first six years of the Reagan Administration. We hope to get the Senate back one day. However, the composition of the Senate is not going to change the way we have processed people. But we must be extra careful as to who is chosen and what their backgrounds have in them for the sake of good government, but we also have to remember that a very eager opposition is waiting to look at those people, too.

Let me conclude. Notice that I have tried to stay away from the mathematics of this business. You would think, from reading some of my press clippings, that personnel is a business just of numbers. And as I have indicated, we do not look upon it that way. We look upon it as a business of staffing an Administration and doing the job that the American people elected George Bush to do.

But in the void of anything else to write about, I think — because the Bush Administration has been so successful across the board — we in Presidential Personnel have been blessed with a lot of attention this year. There was a go-round — you may have noticed a couple of weeks ago — when a thoroughly impartial organization of political scientists called the House Democratic Study Group came through with a report that would make you think that there were empty desks and vacant file cases throughout the federal government because, according to their statistics, there were these unfilled jobs. I am not going to bore you with telling what numerical base they probably used. It clearly was an excessive one, having no relation to what we did, which was to prioritize jobs and go for those that were needed in order to get the policy formulated and the initial actions taken in the President's program. But the standard we have used is the so-called vacancy rate in the Cabinet Departments — Agriculture, Commerce, Defense, Education, et cetera.

Small Vacancy Rate. And on that particular arrangement, as of the most recent report, the so-called vacancy rate was of 36 jobs out of something like 312, or less than 12 percent. Now, before that becomes a headline in itself, what are those 36 jobs? Well a few of them are important jobs, such as the Under Secretary of Commerce for Technology. If anybody would like to be Under Secretary of Commerce for Technology, we will accept your resume at the end of the afternoon. That key position has been very difficult to fill because of the requirements of the job. But most of those 36 positions are clearly of lower priority. And I

should say — I am not trying to ridicule these positions, or the industries, or sectors of the American economy that they are involved with — that among those vacancies for which we do not yet have a candidate in the process are the positions of Deputy Commissioner of Patents and the Deputy Commissioner of Trademarks. The Federal Grain Inspector is also one of those positions.

Many of these jobs make me wonder why they are Presidential appointments at all, but Congress has decreed that they should be, so they are. In these few instances, which are not the central positions of the American government, we do not have people currently in clearance or on the Hill for confirmation. But elsewhere we have candidates for 88 percent of the positions that count in one of those two categories, in clearance or on the Hill for confirmation.

I asked Katja Bullock, who is our computer whiz, to choose an arbitrary date in the second half of Ronald Reagan's Administration and determine the vacancy rate at the time. She chose Lincoln's Birthday, February 12th, and in 1985, 1986, 1987, 1988, the vacancy rate ranged from between 11 percent to 19 percent.

Right now, with a vacancy rate of only 11.5 percent, we in this Administration are basically at the level that Presidential Personnel always is. There are always vacancies. The notion that somehow there is a finite number of jobs that stays fixed — you finish the job, and then you walk away and fire the staff, and wait until the next election to fill the Administration again — is not the truth. There are always vacancies.

Dynamic Business. There are difficult jobs to fill, such as the Commerce job I mentioned. There are resignations. There are people who are removed, who are promoted, and who die. There will always be a need for Presidential Personnel. I have described a job as rather like painting the Golden Gate Bridge: once you finish it, you have to start in at the other end and start painting it again. The business of personnel is so dynamic.

Katja's research showed something very interesting, namely that over that same four-year period, the Congress created 26 new Presidential appointments, making the job of filling an Administration even greater. It is one of the obvious facts that a conservative audience would know, which is that as the federal government has grown, so have the number of jobs, and that many of them are Presidential appointments.

So in conclusion, I should say that from listening to those who are quibbling over the arithmetic, you would get the impression that the Bush Administration was somehow still in the starting blocks, or that it was Gulliver, tied down by strings of red tape. But we all know this description is inaccurate. This Administration has been enormously, even historically, successful in establishing itself, and when faced with a Congress in the hands of the opposition, it is most impressive.

Taking Leadership. And, as you know, the President has set and taken leadership on policy from drugs to clean air to education. He did the necessary and distasteful business of erecting a system for rescuing the American thrift industry. He reasserted the leadership of the Western alliance. And he has maintained the moral leadership that he personally, and his office, requires on such issues as right-to-life and the sanctity of the American flag.

All of these things have been done in this year, and it does not matter whether some Assistant Secretary has not yet taken the oath of office. We want those jobs filled, and we

are working on filling those jobs, but in the particular business of leadership in government, the Presidency has not been in the least bit backlogged.

And, while the hullabaloo continues over the speed of appointments, I do not for a moment pretend that if we had slam-dunked people into jobs and not been the subject of one bad article written this year, that we would have felt particularly good. I personally do not mind being the target of a bad news story or two in 1989 if we are spared, in 1990 and thereafter, a series of news stories about some cretin or boob or otherwise incompetent individual who was named to office by George Bush this year. You can bet that the folks writing those stories would not then say, "On the other hand, the White House in 1989 acted with admirable speed in putting this fine citizen into office."

