



Photo courtesy of Gloria Duffy

## Transitions

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President and C.E.O.

I'm one of those old-fashioned folks who believe that we elect and pay legislators to do the people's business in a wise, but expeditious fashion. Thus, I find it irksome when our state legislators cannot reach a budget deal

in a timely manner, forcing public school districts and social service agencies to take out lines of credit to finance their operations while legislators haggle beyond the start of a new fiscal year. This has been the surreal reality in California in recent years.

When this kind of gridlock occurs at the national level, it can seriously harm our national interests. We are currently in the process of transition from the Republican Bush administration to the Democratic Obama administration. Especially when a change in party leadership takes place, a presidential transition involves replacing several thousand staffers who occupy political appointee slots in the executive agencies of the federal government. Political appointees include all the higher level leaders and managers of the 21 Cabinet agencies, as well as other positions.

In the past two transitions, from Presidents Bush Sr. to Clinton and Clinton to G.W. Bush, the appointments process has taken months, and sometimes years, to fill these important government jobs. Senior staffers may be nominated by the president but then are sometimes in limbo for months awaiting background checks, Senate confirmation or just to be processed in the lineup of other candidates. You can imagine the difficulties that arise in doing the nation's business when senior government posts remain unfilled for extended periods of time.

During this time, the nominees may actually go to their offices in the executive agencies, hold meetings and engage in other activities, as they serve in an "acting" capacity. But they may not make decisions, meet with officials of other countries, spend money or do anything else that practically accomplishes the work of their office. The line between what may and may not be done in an "acting" capacity is thin, and adhering to it can be a challenge for the individuals in this holding pattern for government office.

Perhaps you can tell that I have been in this situation, though in my case the urgent need to send me abroad on a negotiating

delegation and a good friend on the White House transition team sped my appointment along. My limbo lasted just a few weeks.

One of my colleagues was not so lucky. Republican senators who wanted to slow down the appointment of staffers to the new Democratic administration held up his confirmation for months. He was allowed to assume his role as "acting" assistant secretary of defense, but Senate opponents alleged that he had transgressed by approving an order to spend some funds on an ongoing program Congress had directed his predecessor to execute; he was caught "red-handed" and sent back to Harvard to do penance while his supporters negotiated with Republicans on Capitol Hill until his appointment could move forward. And my colleague was a physicist, a Rhodes Scholar, an expert with a bipartisan bent whose appointment should not have been controversial.

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This kind of pettiness, where senators of an opposing party slow the appointments process to a crawl, adds to the time it normally takes to identify candidates for positions, talk with them, vet them with others, do background checks – all the normal processes of filling these

posts. Meanwhile, urgent matters of state go unaddressed.

This is not only an embarrassing situation, but a dangerous one. If a crisis occurs early in an administration, there may literally be no one home at the senior levels of agencies like the State and Defense Departments to deal with it. Especially given the severe challenges facing our country in both the economic realm and foreign policy, we must ensure that the transition process this time goes both smoothly and quickly, giving us a full complement of capable managers in place as rapidly as possible after January 20<sup>th</sup>.

A number of steps might be taken to ensure this. The transition process must obviously be designed well and be well-launched by the date this article appears. A shadow Obama transition team has, in fact, been operating under the guidance of former Clinton White House Chief of Staff John Podesta for some months.

Once the process begins, the transition team must work hard and quickly to fill positions. A list of priority slots should be identified for positions essential to national security, economic needs or other urgent national priorities. Firm deadlines should be established and met for filling these posts.

Most of all, partisan politics must not stand in the way of completing the key appointments to the new administration. It is in the interest of all Americans to have our federal government staffed and functioning effectively, as soon as possible. Ω