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**Testimony of
Patricia McGinnis, President and CEO
Council for Excellence in Government
Before the Subcommittee on Government Management, Organization
and Procurement
U.S. House of Representatives**

September 24, 2008

Thank you, Mr. Chairman, Mr. Bilbray and members of the subcommittee for inviting me to participate in this important discussion about preparing for the Presidential Transition.

The Council's Role in Presidential Transitions

The Council for Excellence in Government is a nonprofit, nonpartisan organization of leaders in the private sector who have served in government and are committed to improving its performance and accountability to the public. The Council has played an active role in past transitions and is actively engaged in providing information and assistance to the major party candidates' transition planners. Attached to my testimony is a description of the Council's 2008-09 Presidential Transition Initiative. We are creating an interactive web resource for transition leaders, Congressional leaders, new appointees, career government managers and the public. The site will include:

- Profiles of the critical top appointed "Prune Jobs" across the Federal government with major responsibilities, qualifications, key relationships, lists of previous incumbents and insights from these predecessors and others – colleagues, overseers, stakeholders, and customers. *
- Commentary from experts and past transition leaders on selecting and organizing the White House staff and the Cabinet.
- A Survivor's Guide for Presidential Nominees, an update of our original publication in 2000, provides information and advice to prospective nominees about navigating the often perplexing nomination and confirmation processes, with insights about what to expect, links to the government forms online, and what it's like to live in official and unofficial Washington.

**You may be wondering what "Prune jobs" are. As you know, political appointments are often referred to as "Plum jobs". We think that "Prune" is a better metaphor for the critical top jobs. "Prunes" are "Plums", seasoned by experience and wisdom and with a much thicker skin.*

- A guide on how to succeed for presidential appointees, with special emphasis on achieving progress and results for the people they serve.
- Links to Transition related resources from government, scholars and other organizations.

The Council for Excellence in Government has also been privileged to work with the Clinton and George W. Bush Administrations to help organize leadership and orientation workshops and resources for Presidential Appointees and White House staff. Attached to my testimony is a history of the appointee preparation efforts of the current and past Administrations dating back to Eisenhower. Appointee orientation was institutionalized by the Transition Act of 2000, which authorizes the program and funding through the General Services Administration.

Key Components of a Successful Presidential Transition

A successful presidential transition is critical for the next President and his team to hit the ground running in the midst of tremendous challenges to our economy, our security and our productivity at home and in a global context. We at the Council define excellence in government in several dimensions – **Leadership, Innovation, Participation, Results and Trust**. You'll see these five words on the wall when you come to the Council. The order is important, with trust as the pinnacle, which follows results. Results require participation and innovation and it all starts with leadership.

So, in our lexicon, what is an excellent Presidential Transition and what does it take to achieve?

Leading an excellent Transition requires careful examination of past transitions to identify what worked and what did not, and imaginative anticipation of future challenges because the context of this transition is unlike any other.

This is an historic election, this is the first campaign since 1952 where the Presidential candidates haven't included an incumbent President or Vice President. In fact, none of the Presidential or Vice Presidential candidates have ever served in the Executive Branch of the federal government. We are at war, our economy is facing unprecedented risks, and 83% of Americans think that things in our country are off on the wrong track, according to a recent Washington Post/ABC poll. The top three priorities are jobs and the economy, the war in Iraq and health care reform.

Presidential campaigns focus on ideas, policies and what needs to change (as much as possible in this era of media sound-bites and negative campaigning). Success in governing depends as much, or more, on effective implementation than on the appeal of ideas. The same is true of Presidential Transitions. Organization, management, timing, and results really matter.

“Ready to Lead on Day One” is not just about experience, judgment and good ideas. Preparing to turn promises into reality and priorities into results requires systematic Transition plans and actions, beginning months before the election. Regardless of how presumptuous it may seem, the planning required for a new President to be ready to govern on day one should begin at least six months before the election. The 77 days between the election and inauguration simply does not allow enough time for effective completion of the necessary tasks. A hastily planned or poorly managed Presidential Transition may squander the promise of new leadership and increase our vulnerability to national security, economic disruption and other threats.

Reviewing lessons learned from past transitions is a good place to start but attention to new realities and associated challenges and opportunities is also critical. As we have seen in Madrid in 2004, London in 2005 and Glasgow in 2007, national elections and transitions present opportunities for terrorists to exploit potential gaps in leadership continuity. To prepare the new Administration to hit the ground running on Inauguration Day, early attention must be given by Transition planners to enhanced security requirements and new opportunities to expedite lengthy security clearances for transition advisors and prospective appointees. The Intelligence Reform and Terrorism Prevention Act of 2004 (IRTPA) allows presidential nominees to submit names of Transition advisors for security clearances and states that the necessary investigations and eligibility determinations should be completed by the day after the election, to the extent practicable. The President-elect may also submit on the day after the election the names of prospective nominees for high level security positions at the cabinet and sub-cabinet levels. IRTPA also provides a sense of the Congress that the Senate committees and full Senate should complete their consideration of these nominees within 30 days of submission by the new President.*

There are extensive efforts underway to streamline the security clearance process, which now takes about 112 days, compared to 162 days in 2005. Even if the process can be further streamlined and expedited, do the math: the names of Transition advisors requiring security clearances should be submitted selected in early September. The names of prospective nominees (some of whom may be transition advisors) should be submitted as soon as possible after election day in order for key positions requiring high level security clearances to be filled on or shortly after Inauguration Day.

* *There are more than 7000 political jobs to be filled, including about 400 cabinet and subcabinet positions that require Senate confirmation. No more than 25 of the top 400 positions have ever been confirmed within three months of any new Administration and only half within six months.*

In my view, the key indicators of a successful Presidential Transition are:

- First and foremost, the quality and experience of the people appointed to leadership roles and having the critical White House, Cabinet and sub-cabinet posts filled on or shortly after January 20.
- Second, the effectiveness of the structure and process for decision making in the White House and for effective management throughout Federal departments and agencies.
- Third, the credibility of outreach, consultation and communication with Congress, state and local government leaders, critical stakeholders and the public to build ownership of a new agenda.
- Fourth, the quality and persuasiveness of the President's commitments, plans and requests, as expressed in his Inaugural speech, first budget, first address to a joint session of Congress, early actions to move key elements of his agenda and frame longer term initiatives.
- Finally, the capacity of the new leadership team to manage their responsibilities well and hold themselves accountable for measurable progress and results.

Important transition milestones and actions:

If they have not already done so, Presidential Nominees should designate their Transition Directors to organize the personnel operation, agency transition teams, preparation of a transition budget, research on White House staff structure and processes, and a schedule of activities and deliverables by January 20, including those related to the Inauguration, the preparation of the President's budget and legislative agenda, and other early actions and decisions. The notion that visible Transition activity before the election may seem "presumptuous" is both ironic and counterproductive. Transition planning for President George W. Bush began in the spring of 2000 and former Presidents Clinton, Reagan and Carter also set up transition planning efforts months before their elections.

Transition leaders should submit the names of up to 100 transition advisors who need access to classified information as soon as possible and prepare to send the names of prospective nominees for critical positions on the day after the election or shortly thereafter, as allowed by IRTPA. The goal should be for the White House Chief of Staff to be named as soon after the election as possible, the Cabinet should be confirmed on Inauguration Day and the top sub-cabinet posts confirmed within the next 30 days.

The investigative capacity of the FBI and OPM needs to expand to handle the volume of clearances necessary to achieve this goal. We cannot afford to have significant gaps in leadership or confirmed cabinet secretaries "home alone" for an extended period of time. The Deputy Director for Management at OMB has and is playing an important leadership role to expedite the security clearance process and to ensure a smooth transition for the next Administration. As a result, the projected time frame for Presidential appointments (100 in place by April 1) is far better than in the past but I think we need to do even better. Expanding the capacity for the necessary clearances could achieve a more

ambitious goal. We would like to have 50-100 top appointees in place within 30 days of the Inauguration.

It is also imperative for Senate leaders to expedite the confirmation process to consider and vote on key nominees as soon as possible to assure leadership continuity in critical positions. The establishment of timeframes for confirmation hearings and votes (30 days, as stated in the Intelligence Reform and Terrorism Prevention Act), limits on “holds” to delay confirmation votes, and other process agreements should be worked out before the election—before we have a winner and a loser.

Broader reform of the Presidential appointments process is long overdue and we hope that the House and Senate will consider legislative action in the 111th Congress. However, we urge you and your colleagues to do as much as possible before the election to expedite the nomination and confirmation of well qualified leaders for critical posts across the federal government. Attached to my testimony is a letter to Senators McCain and Obama requesting that they join together to implore their colleagues in the Senate to a timeframe for considering and voting on 50 critical positions within 30 days of Inauguration and others within 45 days of nomination. We also urge both the House and Senate to lead more comprehensive reform of the appointments process in the next Congress. The letter is signed by the leaders of several organizations, including the Council for Excellence in Government, the Center for the Study of the Presidency, the National Academy of Sciences and the National Academy of Public Administration.

Thank you very much. I look forward to a lively discussion of the elements of a successful transition.

3 Attachments:

The Council for Excellence in Government’s 2008-2009 Presidential Transition Initiative
Preparing Presidential Appointees for Leadership: A History
Letter to 2008 Presidential Candidates