THE PRESIDENTIAL APPOINTEE'S HANDBOOK

Prepared By The National Academy of Public Administration

THE BASIC DO's AND DON'T's FOR PRESIDENTIAL APPOINTEES

In the text of this handbook are frequent references to statutes and administrative regulations governing the activities of presidential appointees. None of those are substitutes for common sense. This list of basic DO's and DON'T's is a distillation of the accumulated experience and acquired wisdom of many past and present presidential appointees. It is a good starting point for those entering government service for the first time.

DO's

- Complete all financial disclosure forms accurately and thoroughly.
- Cooperate with individuals and organizations conducting background investigations.
- Seek advice from the appropriate government official about any potential conflict of interest.
- Retain your independence and impartiality in carrying out your duty to serve the public interest.
- Always act in a way that will strengthen public confidence in the integrity of the government.
- Know the basic rules and procedures for hiring and supervising personnel, acquiring goods and services, and protecting and using government property.
- Keep old friends in their place and out of the public's business.
- Travel only when necessary and only to accomplish job-related objectives.
- Be constantly alert to avoid the appearance as well as the reality of conflict of interest.

DON'T's

While in government service:

- Don't use public office for private gain.
- Don't continue any relationship with a former employer or partnership that has not been specifically approved by appropriate government ethics officials.
- Don't undertake any non-government employment or income-earning activity without prior approval by appropriate government ethics officials.
- Don't participate in any matter in which, to your knowledge, you or members of your family have a personal financial interest.
- Don't give preferential treatment to any person or organization.
- Don't make a government decision outside official channels.
- Don't accept gifts, entertainment, favors, free travel or meals from persons or organizations doing or seeking business with the government.
- Don't use government vehicles, equipment, telephones, or mail privileges for non-government purposes.
- Don't refurbish or redecorate your office until you have a clear understanding of what law and regulation permit.
- Don't disclose classified or privileged information you possess only because of your government position.
- Don't use drugs or alcohol on government property or during business hours.
- Don't work on non-government projects during government time or use the services of staff members for purposes unrelated to your or their government duties.

- Don't solicit, negotiate, or arrange for future employment during a period when you are acting in behalf of your agency in a matter in which your prospective employer has a financial interest.

After leaving government:

- Don't accept a position which requires an appearance on any matter on behalf of your employer before your former agency within one year after leaving that agency.

- Don't accept a position which requires an appearance at any time on behalf of your employer on a particular matter in which you participated personally and substantially while a government employee.

- Don't represent anyone, within two years after leaving government, on particular matters that were within your official responsibilities during your last year in government.

- Don't disclose classified or privileged information you possess only because of your former government position.

PART III

GETTING STARTED

Nothing else quite resembles the policy-making milieu in Washington. It has no accurate analogy in business or law or any other private field of endeavor. The range and types of participants, the incentives and constraints that guide them, and the rules of engagement that shape their interactions are indigenous and unique.

For new government executives, chosen by the president to manage large agencies and to shape public policy, the first foray into government is often a bracing and difficult experience. Some call it "on-the-job training," and that it is. But nowhere else does on-the-job training occur under the lights of such bright and constant scrutiny. The natural difficulty in comprehending a new environment and learning a new job is magnified by high stakes and an unrelenting sense of urgency.

This part of the handbook provides a brief overview of the prominent characteristics of the executive environment in Washington. This is not a substitute for a good orientation program nor for discussions with experienced Washington hands. But it provides at least an outline of the complex and fascinating way of life that is the context for national policy making.

Principal Characteristics of the Executive Setting

Politics and partisanship. Politics is Washington's lifeblood. It pervades every relationship and colors every action and every reaction. Despite their best efforts to "put politics aside" or to stay "above politics," new executives soon find that a political lens filters what they see and how they are viewed. They may try to make personnel decisions on the basis of merit, only to discover that merit is in the eye of the

beholder. Or they may choose a policy option which they genuinely believe to be in the public interest, only to learn that their perception of the public interest is not shared by those affected by their choice.

This sense of partisanship is especially acute when Congress and the administration are controlled by different political parties. Congressional committees are more skeptical of administration proposals, more vigilant in their oversight of administrative performance, and more aggressive in their pursuit of budget alternatives. When the constitutional separation of powers is widened by partisan divisions, the job of the presidential appointee is more demanding and often more frustrating.

The complexity of decision making. Government exists because, on important matters, Americans often disagree. The problem of dissensus on policy matters is compounded by the size and complexity of government. On any given issue, there are likely to be many departments, agencies, bureaus, and committees with a direct and active interest. All will want to participate in important decisions. Nongovernment actors will also be anxious to express their views and to exert their influence. Simple decisions are rare phenomena in Washington.

Most of the important choices that government makes can result only from collective action, from agreements delicately forged among a number of disparate political actors. That takes hard work. It is often time-consuming. And even the most carefully constructed coalitions can fall apart at the last minute for the slenderest of reasons. For the novice appointee, especially one whose principal experience is in the business world, this can be a frustrating discovery.

Reflecting on his own initial experiences in Washington, a former Treasury Secretary said, "Before coming to Washington, I had not understood why there were so many conferences in government and

so much delay. Now I do. Everything is more complex."[1]

The omnipresence of Congress. Many new appointees are surprised by the amount of their time consumed in congressional relations. A former assistant secretary noted, for example, that "assuming that Congress is in session, I spend about one-third of my time in direct contact with members of Congress, committee staffs, and other governmental agencies. If the department has an important bill up for consideration, I may spend almost all of my time for several weeks working on legislative matters."[2]

Many political executives soon come to regard Congress as the most prominent feature on their perceptual landscapes. No matter what they seek to accomplish, at some point in every important decision they will have to consider the likely reactions of relevant members of Congress. Will members support their initiatives? Will they provide protection against budget cuts? Will they approve a reorganization or increased staffing? Members of Congress have the ability, not only to thwart an executive's best laid plans, but to do so in a public setting that may be embarrassing and damaging to the executive's reputation. Appointees soon learn that they can disregard congressional concerns only at their peril and that a good part of their time is consumed in developing and implementing strategies for winning congressional support for their policy initiatives.

The absence of managerial yardsticks. It is natural for executives to look for ways to measure their performance and that of the people working for them. In business, the profit line provides that measurement. In a law firm, it may be billable hours or cases won. In universities, research breakthroughs or new publications can suffice. In government, however, managerial yardsticks are more elusive.

One reason is the ambiguity of many government objectives. A new appointee informed, for instance, that his or her task is to improve the climate for small business or pursue the advancement of the arts may

encounter great difficulty in determining exactly what that means. Looking for clues in statements of legislative intent may only turn up more ambiguity. And the past activities of an executive's agency may be full of contradictions and changes in direction. As one study of federal executives noted, "the political executive often does not have available a ready-made, tested, acceptable statement of purpose or mission."[3]

Even when objectives are clear, progress toward them is often difficult to quantify. The size of expenditures, numbers of personnel, and the rate at which individual cases are processed may provide some sense of the magnitude of an agency's activities, but they may not tell an executive whether program goals are being adequately or efficiently accomplished.

The constancy of public scrutiny. The conventional wisdom holds that public officials work in a fishbowl, that their every action is a subject of public attention and criticism. There is much truth in that. While only a few executives—the most prominent cabinet officers and agency heads, for example—are actually in the spotlight every day, most of the others operate against a backdrop of public concern that pervades almost everything they do. The latter may not make headlines in The New York Times or appear on the network news, but their activities and decisions are a matter of significant concern to the constituencies, members of Congress, and the reporters most interested in the issues with which they deal.

A former Education Secretary remarked on one of her initial experiences in Washington: "I didn't know that any time a Cabinet member writes a letter, it's on every desk on Capitol Hill the next morning, plus in the Higher Education Daily."[4]

It is rarely a pleasant experience to read one's memos in the press, to know that peers or subordinates who disagree with a pending decision have leaked information critical of it to reporters, or to be maligned on the basis of partial information or out-and-out inaccuracies. But all of those things can

happen in public life and, after a while, they begin to color an appointee's actions and perceptions.

Coping and Succeeding in Government

While frustrations may persist, none of these characteristics of the Washington environment are insuperable impediments to effective public service. Successful appointees adapt to the context in which they work. In the main, they do so by approaching their jobs with a realistic understanding of their environment and the constraints and opportunities it creates. Described below are some of the techniques that political executives have found useful in coping with the unique burdens of government leadership.

Getting a good start. Most new appointees come to their jobs with a high sense of urgency. Full of ideas, anxious to make names for themselves, and energized by the exhilaration of public service, they try to get off the starting line at full speed. That is a natural tendency, but one that many appointees later come to regret.

New executives often underestimate the importance of personal relationships in government. They are rarely provided the authority necessary to accomplish important objectives on their own, no matter how wise their ideas or ample their efforts. Hence they have to work with and rely upon others. The early days of their appointments are crucially important in this, for they are a time when working relationships are established and reputations emerge. In many ways, an appointee's actions in the first few weeks on the job will directly affect the extent of his or her ultimate impact on public policy.

This is especially the case in the interactions between new appointees and the career staffs of their agencies. Career civil servants are a unique workforce. Individuals with little government experience sometimes regard civil servants, not as people with

certain incentives, skills, and concerns, but as "bureaucrats"—a term laden with pejorative stereotypes. As a study of the management of the Commerce Department noted, "the political appointee is likely to push hard, sometimes at the expense of employee feelings. In fact, he may even take pride in pushing around the 'bureaucrats.' . . . The assumption is that the civil service is a recalcitrant mule that must be bribed and whipped, with carrots and sticks."[5]

Unfortunately, this often becomes a self-fulfilling prophecy. Appointees who begin by treating the career staff of their agency as an alien force may create an alien reaction. Assumptions that generalize about civil servants are inherently troublesome. Some civil servants may find it difficult to shift their loyalty to a new appointee; others will not. Some will become important sources of information and advice; others will not. Some will make life easier for a new appointee; others won't. An approach to governing that begins with the assumption that the career staff is an enemy to be engaged in combat is almost certain to produce that result. An approach that assumes that a mutuality of interest can be built on openness and attention to personal relationships is much more likely to pay dividends over the course of an appointee's government service.

One study of the relations between appointees and civil servants noted that "these people in government are a highly variegated resource. Like most other resources, they can be squandered or conserved, left fallow or used. Whether and how they are used depends heavily on the actions of particular political executives."[6]

A former assistant secretary put it more bluntly: "If you don't get some of the bureaucrats on your side, you're going to get the hell kicked out of you. You don't get straight answers. A paper the secretary is supposed to have by 10 A.M. just doesn't turn up, or they don't tell you something that occurred at a meeting and you find yourself lambasted at another

meeting the next afternoon. If you've got good relations with the career people, their contacts are going to help you. If relations aren't good, they can cut your throat with their contacts."[7]

Persistence and flexibility. Success in government takes time and effort. Once an objective is set, many hazards will have to be navigated before it is accomplished. Rigidity in support of the details of a proposal is rarely a productive trait in Washington politics. Successful executives soon learn to plan for the long haul and to leave their options open should they encounter an impasse.

The gestation period for public policy—even when there is broad public support—often lasts several years. Much of this is spent in researching ideas, negotiating details, and constructing political coalitions. It is important work, but it is not for the faint of heart. It can test the mettle of even the most creative and committed public servants.

The political executive, wrote one who served in that position, "must steel himself to meet and cope with the sheer inertia of government. Dealing with the vagaries of Congress, the slow movement of the bureaucracy, and the erratic turns of public concern, he must have the persistence and resilience to bounce back and pursue a target despite repeated diversions. This requires a determination to reach the goal by a variety of means and a grasp of how much one must accommodate to circumstances."[8]

Clearance and consultation. Few government executives are delegated authority enough to attain important objectives on their own. Most need to reach out and attract the support of other political actors, including some who are indifferent toward, or resistant to, the proposal in question.

To cope with this, executives must be prepared to listen, to negotiate, and to compromise. Those who think they have a good idea and don't want to "play politics" with it may discover that many good ideas do not become public policy precisely because their

sponsor has failed to lay the proper political foundation for them. The successful executive learns to consult widely, to solicit and listen to the reactions of others, to share the credit, and to build a team of proponents with an investment in the outcome of the proposal. As two former senior appointees noted, "Team spirit may be regarded by academics and pundits as a hackneyed concept; but nothing is more important for effective policy making, especially in difficult periods."[9]

Central to effective consultation is a sense of other people's agendas. Experience teaches appointees to try to see issues as others see them. Self-interest is one of the great driving forces of government, and understanding someone else's self-interest is an important step in tailoring an initiative that will win that person's support. Policy debates are rarely won by presenting a single vision of the public interest and then trying to force doubters and dissenters to capitulate to it. Much more often policy emerges from a delicate and often prolonged process of negotiation in which the final product is forged from a variety of individual self-interests.

The importance of good recordkeeping. Each senior manager should assure that professional staffs responsible to him or her observe the recordkeeping requirements published by the National Archives and Records Administration and the legislative requirements of the Federal Records Act of 1950. Good recordkeeping means more in the U.S. government than in private sector organizations. It not only provides the legal record required by law of the transactions of a federal department or agency, it also permits the history of the Republic to be written for the edification and enlightenment of future generations.

There is one more reason that political appointees should be concerned with effective recordkeeping practice—it makes sound management of an agency or department possible. It allows senior managers to take advantage of the lessons learned in the past and

in turn to transmit the experience of the current administration to future administrations. The advent of electronic technology—the personal computer and other forms of office automation— places a new urgency on the attention senior agency managers need to devote to assure that the historical record of the United States is preserved. The National Archives and Records Administration is available to assist political appointees on questions of good recordkeeping.

The Satisfactions of Government Service

Despite the frustrations they encounter and the heavy workload they endure, the vast majority of presidential appointees derive great satisfaction from their time in government. Many come to regard it as the most exciting and rewarding part of their lives. In explaining that reaction, former appointees offer several reasons.

Personal stimulation and growth. Corporate executives, professors, lawyers, and others find that public service offers them a significant change from the day-to-day work experiences to which they are accustomed. They get to work with new issues and with a more heterogeneous group of people. They have to learn new skills and develop new areas of substantive competence. They begin to view problems in much broader focus than they ever have before.

Many former appointees have indicated that they return to private life with greater tolerance than they had when they left it. That tolerance derives from a newly found sensitivity to the diversity of the American population and the concerns of the groups that compose it. It is further informed by an enhanced understanding of critical public policy objectives and government operating procedures. For many, the world looks different after a tour in government than it did before.

"The privilege of executive experience," said one former government official, "is strongly affirmative. The daily involvement in critical programs affecting large numbers of people cannot be equalled. The association with other Americans from all segments of the community in a common program contributes significantly to personal development and understanding. Few men or women are able to duplicate the positive quality of such an experience outside the government."[10]

Impact. Public service also provides the unique opportunity to influence the quality of public life. Presidential appointees manage programs that help build schools, encourage new businesses, cure disease, and reduce unemployment. Instead of the small number of clients or patients or customers that one deals with in the private sector, the public executive can participate in decisions that affect hundreds of thousands of people.

One attorney, who worked in government early in his life, and then went on to a highly successful career representing important clients, said of his government experience, "There are not better jobs in the world. I haven't done anything so important since."[11]

The pride of service. Good feelings—intangible and, some might say, old-fashioned—are one of the most common rewards that former appointees cite when asked to express what they got out of their government service. It is a rigorous and challenging business, but few people who accept a presidential appointment come later to regret their decision. Most of those who enter government service regard it as a high and honorable calling. Few of them feel differently when they leave.

ENDNOTES

[1]George M. Humphrey, with James C. Derieux, "It Looked Easier on the Outside," Collier's, Vol. 133 (April 2, 1954), p. 31.

[2]Quoted in Marver H. Bernstein, The Job of the Federal Executive (Washington: Brookings, 1958) pp. 16–17.

[3]Bernstein, p. 32.

[4]Quoted by Phyllis Theroux, New York Times Magazine (June 8, 1980), p. 98.

[5]Michael Maccoby, Margaret M. Duckles, and Robert Duckles, Bringing Out the Best, Final Report of the Project to Improve Work and Management in the Department of Commerce 1977–1979, John F. Kennedy School of Government, Harvard University (March 1980), p. 2.

[6]Hugh Heclo, A Government of Strangers (Washington: Brookings, 1977), p. 181.

[7]Quoted in Heclo, p. 190.

[8]Frederic V. Malek, "Mr. Executive Goes to Washington," Harvard Business Review, Vol. 50 (September 1972), p. 68.

[9]George P. Schultz and Kenneth W. Dam, Economic Policy Beyond the Headlines (New York: W. W. Norton, 1977), p. 159.

[0]Quoted in Bernstein, pp. 216–217.

[1]James H. Rowe, Jr., quoted in Hugh Sidey, "The Joy of Governing," Time (October 4, 1982).