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PARTICIPANTS:

Welcome and Introduction:

WILLIAM A. GALSTON
Senior Fellow, The Brookings Institution

Featured Speaker:

DAVID E. LEWIS
Professor, Vanderbilt University

Discussant:

KATHARYN DUNN TENPAS
Nonresident Senior Fellow, The Brookings Institution

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P R O C E E D I N G S

MR. GALSTON: Let me convene this session and begin by introducing myself. My name is Bill Galston. I'm a Senior Fellow here in Governance Studies at Brookings and the holder as of a few months ago of the Ezra Zilkah Chair in Governance Studies.

We're now midway through the second year of the Governing Ideas Series, so let me take a minute to tell you a little bit about the series for those of you who are attending your first event. As you know, in this town and in research centers, there are lots of discussions of politics, daily politics, the structure of politics, and public policies. But at Governance Studies here at Brookings we came to the conclusion that in addition to those discussions there's a broader environment or context for the discussion of politics, a politics set by ideas, by history, by culture, and by political institutions, and by broad long-cycle changes in all of those areas. Now for a couple of years we have been looking around the country for speakers, books, and ideas that will help to illuminate some of the facets of political life in general and American political life in particular that are a little bit beneath the surface, certainly beneath the journalistic surface, and perhaps off the radar screen a little bit.

Today's session is a very interesting example of this quest and I believe a highly successful one. Consider the moment that we're

now in. Washington is abuzz with the classic transition chatter, who's up, who's down, who's in, who's out? What are the different considerations going to be in the selection of the cabinet, the subcabinet? How will the White House be organized? These are all very significant questions. But there are some broader questions as well and those questions are the principal subject of today's session.

You can boil these broader questions down to one; it's not the only one but I think it's the central one, and I'd formulate it this way: How do presidential appointments and the bureaucratic or institutional structures into which the appointees are asserted affect the performance of the federal government? Why that question? Why that focus? Answer: Given where we are right now, the relationship between presidential personnel and government performance matters an enormous amount, more than ever I would say.

Why is that? The CBS/*New York Times* survey, the latest iteration, came out a couple of weeks ago and it showed among other interesting things that trust in the federal government is at the lowest level ever measured since the beginning of survey research. In that poll, 17 percent of the respondents said that they trusted the federal government to do the right thing most of the time. You can imagine what the other 83 percent had to say.

One of the things that political scientists know about trust and the generation of trust and the maintenance of trust is that the fact and also the perception of competence in government is a key determinant of trust. Even if government is honest and well intentioned, if it is incompetent, it will not be trusted. And you don't need to know a lot about the U.S. government or any government to know that competence is largely a function of the people who are chosen to staff the government. If you doubt the truth of that proposition, just cast your mind back 3 years to the government's response to the disaster that hit New Orleans in the form of Hurricane Katrina. The government's response to that - or nonresponse to that - contributed to a sharp downward lurch not only in support for the President and his administration but also in the trust that the American people were willing to invest in the federal government.

In short, today's session is an effort to get beneath the surface of the discussions that we're having right now, although I suspect that both of these very well-informed people will be available to answer shorter-term questions as well, and to ask the kinds of questions that will help shape government's performance and the public's perception of that performance.

We're very fortunate to have two accomplished and insightful students of America government and of political transitions to help us

understand this issue, and let me introduce them in the order in which they'll speak. David Lewis to my right, stage left, is Professor of Political Science and Law at Vanderbilt University. His research interests include the presidency, Executive Branch politics, and public administration. His latest book, "The Politics of Presidential Appointments, Political Control, and Bureaucratic Performance" which is the centerpiece of today's discussion was recently awarded the 2008 Herbert A. Simon Best Book Award by the Public Administration Section of the American Political Science Association, a very prestigious award indeed.

To my left, stage right, is Katharyn Dunn Tenpas who I first met she reminded me a quarter of a century ago when we were both in Walter Mondale's honest and honorable but not terribly effective presidential campaign. She is now a Nonresident Senior Fellow in Governance Studies here at Brookings, and also the director of the Washington Semester Program at the University of Pennsylvania. Interestingly, she recently served as a member of the White House Transition Project for this most-recent transition, and she also participated in the 2001 project where she prepared a study of the White House Office of the Staff Secretary to aid in the 2000 to 2001 transition. For those of you who know anything about the White House and its organization, that may be the most-important position you've never heard of. It is the eye of

the needle through which all of the paper that reaches the President of the United States must flow and if you get on the staff secretary's bad side, your memoranda will not get anywhere. At any rate, these two people are both scholars of America and the Executive Branch of presidential transitions, and they also know a lot about the real world of the Executive Branch and presidential transitions.

A word about format and then we'll get started. It's going to be simplicity itself. David Lewis will lead off for about 20 minutes or so and Katharyn Tenpas will then offer remarks for about 15 minutes or so. There will be a little bit of cross-talk, some of it provoked by me, and I hope we'll have upwards of half an hour for questions and discussion involving all of you. So without further ado, David.

MR. LEWIS: Thank you. It's an honor for me to be on the same stage with these two panelists, and I'm grateful to be here.

What I'd like to do today is talk about some of the highlights from my book on presidential appointments which deals with the causes and consequences of politization of the Executive Branch. The starting point for the book is what Bill mentioned which is Hurricane Katrina which was a disaster for any number of reasons including the immensity of the storm, but for my purposes, also for the poor response and recovery efforts, and single out for particular blame by not just myself but also

Congress and the Government Accountability Office's FEMA, and specifically within FEMA there were concerned raised about the appointee heavy management structure in FEMA that might have led directly to a poor response. By all accounts, FEMA has a lot of political appointees for an agency its size and there was some concern that this structure led to a poorly equipped and prepared FEMA at the time that Katrina hit. This was probably epitomized by the lack of emergency management experience among the appointees, Michael Brown being the example who we're most familiar with. But at the time that Katrina hit, no senior manager in FEMA save one had prior emergency management experience prior to entering FEMA.

This fact led me to a couple of questions. The first question is how did FEMA get so many political appointees? Why do some agencies have many political appointees and others few? Then what's the relationship between the politization of government and government performance more generally, not just in FEMA. What the book tries to do through a variety of means including interviews with personnel officials back to the Nixon administration, but also a look at some data on political appointments and some case studies and tries to get at these two questions. Let me hit some of the highlights for you.

What I want to do first is give you a little bit of background about the U.S. personnel system. Then I'll talk about what the conclusions of the book are with regard to why some agencies and politicized and others are not and why that changes over time. And then what the relationship is between appointments and performance and what we know about that and what the book has to say about that.

Let me say a little bit about background stuff. When a new president like President-elect Obama comes into office, they confront a vast bureaucracy headed by a class of political appointees. President-elect Obama is going to have to fill depending on how you count between three-thousand and thirty-five hundred presidentially or politically appointed positions. These positions are at the top of the Executive Branch, so the 15 cabinet departments, the 55 to 60 independent agencies, are all headed by political appointments. Just to put this in perspective, your major European democracies or developed democracies have about 100 to 200 politically appointed positions. You might ask yourself if I were going to invest my retirement monies, would I invest my money in a Fortune 500 company that turned over its top 3,500 executives every 4 years or every 8 years? I think the answer for myself is probably that I wouldn't. But that's what we do, and so one of the immense tasks

that the president-elect is going to have to do right now is fill those 3,500 positions.

What are these positions? There are primarily three types, and I'm going to exclude White House personnel for the moment. At the very top there are Senate-confirmed positions. There are about 1,100 to 1,200 of these. About half of these are important policy-making positions. The other half are advisory posts, part-time jobs, the kind of jobs that many big donors will get who don't really want to do full-time work in Washington.

The remainder of the political appointments come at lower levels. There's a middle level of political appointments in what's called the Senior Executive Service, so there's a middle level of managers that's comprised of a mixture of career professionals and noncareer appointees that are named to this service. Then there's a set called Schedule C appointees. We tend to think of Schedule C appointees as people like Linda Tripp or Monica Lewinsky. They're staff positions in policy or confidential jobs or positions but generally nonmanagerial in nature, and there are about 1,600 of these in the current administration. All together we have 3,000 to 3,500 positions. The number of these positions has been increasing over time. If you look for example at 1960 and you compare it to today you see an increase over time. The most-dramatic

increase was between 1960 and 1980, and then things have leveled out, but that's the world in which we're working.

One of the things that people don't realize however is that presidents and Congress have a great deal of flexibility about where these appointed positions are and who gets to fill them, so you see quite a bit of change over time across agencies and across presidencies in where appointed positions are and that's an important component of what I'm doing in this book in trying to figure out how that happens.

The other thing I'll say here is that the book also does things like say how do you politicize the government? How do you get civil servants to leave that you don't like? The kinds of things that you wished presidents didn't know but they and so I figured it would be best for all of us to know so that we can recognize what's happening when it does happen. That's the world in which we're operating.

What are some of the key findings from the research in terms of explaining why some agencies are politicized and others are not? Let me first say there are really two personnel processes in any given administration. There's a personnel process that's associated with getting control of the government and most personnel officials can speak eloquently and knowledgeably about this process, that they think there are positions in government whether it's in the Treasury Department or the

Defense Department or in the Education Department that are going to be pivotal for us to get our agenda through to make change in government. So a lot of time and attention is spent on filling these positions that are going to have a dramatic influence on public policy.

Parallel to that process is what can only be described as a patronage process. That is, when presidents come into office they're not trying to figure out how am I going to make appointments to get control of this vast bureaucracy? They're also confronted with intense patronage pressures. All of the people who worked on the campaign, state and local party officials, interest groups, congressional staff, people with connections to key patrons either in the campaign or Congress are going to be asking for jobs and what presidents are doing is trying to figure out how can I respond to these pressures, this huge supply-side demand, but also get done in government what I want to get done, because what's supplied by the job supplicants is not always what's required on the other side in terms of what you need to get the government working the way that you want.

Let's talk about the policy side for a minute and how that affects the contours of government administration. What are some of the big-picture points of the book? The first is presidents are somewhat predictable in how they increase or decrease appointments based on their

perceptions of the loyalty of the agencies that they're taking control of. When governments come into office they confront a civil service of around 2 million employees, the cabinet departments and the independent agencies, some of these agencies on auto pilot are going to do what the president wants. That is, they can leave them alone, they'll produce the kinds of regulations that the president wants, they'll produce the kinds of policies the president wants, but other agencies are not going to do what the president wants unless there is particular attention paid to their policy output. So presidents tend to think in these terms: Is the Defense Department going to do what I want when I come into office or are they not? Is the Labor Department going to do what I want or are they going to do something different? If they worry about the loyalty of a particular department or its biases in terms of their policy views, then they're going to dump political appointees.

Interestingly, Congress has a role to play here and I think the performance of Henry Waxman since the Democrats regained a majority in Congress in this administration is a good example of this where Congress is less sanguine about presidential appointments for the reasons that we would understand. They think if I let the president have more appointees, if I let him create more appointed positions, then they can use those positions to pull the agency away from what I want. And

not only that, but they satisfy patronage demands that I might not necessarily like. So what we see is that when Congress and the president share the same party, appointees tend to go up. When there's divided government and when they're disagreement, Congress is much more vigilant about the number of appointees.

What are some of the implications of this? The first if that after a party change in the White House like we're experiencing right now, there is always an increase, almost always. On average over the last 40 years the increase has been about 300 positions. There are generally more political appointments during period when there is unified government, about 200 positions or so. And more generally I think our expectation should be, holding other things constant, that the conditions are ripe right now for an increasing politization of government. Modern presidents when they assume office take as a roadmap what the last administration did in terms of political appointments and they say here's where all the appointments are, that's where we're going to start and we'll make adjustments from there. In this environment where President-elect Obama has concerns about the existing functioning of the government, has a unified government, and has immense pressures patronage-wise to fill positions, I think the conditions are ripe for an increase unless particular

steps are taken, and I'll comment about that at the end. So that's the policy side.

Let me say a little bit about patronage. As I said, alongside this process where they're just trying to get a team in place to make sure government is functioning and carries out its agenda, they're dealing with these patronage concerns. This is a difficult thing for presidents both Democrats and Republicans because think about the kinds of people who are asking the administration for jobs. They share certain characteristics. They tend to be young. They tend to have very limited experience. The experience that they do have might not qualify them for the types of jobs that they want. And in some ways they probably deserve some reward for the things that they've done. That creates tremendous pressure on presidencies to find them jobs in the administration in some way that will not embarrass the administration.

The pool of patronage appointees does differ by parties and it differs in the ways that you would expect. If you have a young, ambitious Republican, they're likely to want particular kinds of jobs and they're likely to have experience that at least on paper qualifies them for some jobs more than others. Their experience might be with the U.S. Chamber of Commerce or some private-sector work experience that a presidential personnel official can say I've got a justification for putting this

person in the Commerce Department or in the Trade Office or in the International Trade Administration.

On the Democratic side, the type of experience that you have tends to be something more like I worked for a labor union, I worked in a community housing organization, I did some volunteer work for the homeless, and that at least on paper qualifies you for certain types of jobs. So while both policy concerns and patronage concerns push in the direction of increasing the number of appointees, there are some differences across parties in where those types of appointees go. Patronage appointees go generally to different places in Republican administrations than they do in Democratic administrations. Let me be clear. There are patronage havens there are consistent across Republican and Democratic administrations and I can name some of them for you, but there are also places where Republicans tend to go in Republican administrations and Democrats in Democratic administrations.

What are some of the implications? It's going to be easier to place Democrats in social welfare agencies, Housing and Urban Development, Labor, Health and Human Services, places like that, and so we should expect to see an increase in those administrations of patronage-type appointees, in addition to places like the General Services

Administration, the Small Business Administration, the Department of Education where other patronage appointees go in al administrations.

Let me say a little bit about appointees and performance and then I'll turn it over. What's the relationship between these appointees and performance? Does it really matter whether there are a lot of appointees or not? My answer to that question is absolutely yes based on a variety of data. I think that bulk of the best data that we have suggests that the politization of government, the dramatic increase in appointees over time, has hurt government performance. Let me take as an example the case of FEMA.

FEMA has historically had anywhere between 28 and 40 political appointees which is a lot of political appointments. Why does that matter? The reason why it matters is when you have that many political appointments, there's a tremendous amount of turnover at the top and when there's turnover at the top there are lots of problems. You can't interagency teams together. You can't build long-term relationships with state and local emergency responders. You can't do long-term planning because the career professionals start and stop and start and stop and start and stop. Then it becomes difficult to recruit and retain good career professionals. All of the top jobs in FEMA are taken by political appointees. That means if you want a high-paying job or you want a job

where you actually have some influence over policy, you can't get there as a career professional because appointees have gone all the way down into the bureaucracy. So you leave and you go work for a state emergency management agency or you go work in the private sector and you consult. These systematic effects of politization hurt performance, and they did in Katrina. We can talk about that in more detail if you'd like.

Is this generalizable? Is it true not just in FEMA but across government? My answer to that in the book is yes, and I know that from not only this case example, but two other sources of data. The first source of data is the Bush administration's own program assessment rating tool scores. The Bush administration in I think a laudable effort tried to measure the performance of federal programs on a numerical scale. If you take their scores at face value, and you may or may not want to do that, let's separate out programs that are run by career professionals and programs that are run by political appointees. Is there any difference in the average scores? The answer to that question is yes. There's a statistically distinguishable difference between these two types of federal programs.

Let's do something different. Let's separate out the programs where the management teams are primarily appointees and those where the management teams are primarily careerists. Is there any

difference there? The answer is yes. There's a linear relationship between how many appointees you have on your management team and the lower score you get on these part scores.

The same pattern exists in surveys of federal employees. One of the things that the federal government does on a regular basis is they ask federal employees about how things are going in their agency. They ask them about the leadership of their agency's senior leaders. They ask them whether they're held accountable for results. They ask them whether there is good communication, whether they feel like their agency does as good as job as other agencies. In all of those dimensions, federal employees will report differently depending on whether their agency is run by an appointee or run by a career professional.

So there is this curious thing that happens in American politics that raises this question, why would presidents want more political appointees when that's bad for performance and I think that they would probably know that. The answer is they're willing to trade or risk some performance in order to get agencies to share their views about what policy should be or to satisfy patronage demands.

Let me make one last comment about the transition going on right now. Is there any hope? That is, what advice would we give the

president-elect with regard to these issues? I would make a couple of suggestions. The first thing I would say is, and it seems like they're doing this already, get a personnel operation in place that's well organized and empowered to disappoint a lot of people and charge them directly, aggressively, and persistently with the idea that people who are selected for the administration have to be selected on the basis of competence and that these other considerations or connections have to get down-weighted. I think it's naïve to believe that they're going to be able to do this in all cases, but you have to at least try and say it.

The second thing I would say is think seriously about cutting the number of politically appointed positions, or if you're not going to cut the number of politically appointed positions, fill some of them with career professionals, people who have been here for a long time, people who know how Washington works, have demonstrated capability to work with both parties, and demonstrated competence.

The last thing I would say is that you can signal in big visible ways that competence matters to you, and one way you might do that is to keep on people from the last administration who have demonstrated competence. That's one way I think we could make a change in tone and change expectations about how these positions are filled.

MR. GALSTON: David, thank you for that very, very clear and concise summary of what I know is a very detailed and complicated book.

MS. TENPAS: Thank you, Bill, first, for inviting me. It's a pleasure to be here. And I'd also like to give a big plug for David's book. He is one of those scholars who's willing to dig in the trenches to gather all this data that nobody else wants to do and his work provides a tremendous sort of historical picture of how this process has evolved over time which I think is useful to know under any circumstances, so a big plug for the book. What I'd like to do is to make one broad observation about his book and about the work that he's done, and then to provide what I call three tips for the current administration when they're thinking about staffing.

My first general observation is to think about the term politicization. I think it's inherently pejorative and I think the way it's framed in the book suggests that it's a bad thing for governance. I'd like to spin that on its head and say actually we should think about the positive side of politicization, and that is that we just had a democratic election that overwhelmingly elected a new individual to become President of the United States. Given that the Executive Branch is incredibly large and unwieldy, it strikes me as democratic and fair that that individual then gets

allowed to staff this at the highest levels. If you think about the ratio between 3,500 appointments to the overall size of the Executive Branch which is about 2 million, it really is a small fraction of the overall employees that a single individual is allowed to appoint in order to run this vast Executive Branch.

Secondly, I would think about what do political appointees do? They're really there to try to steer this ship of state in a way that reflects the priorities and the goals of the current administration and, frankly, that's about all they can do in some respects because it's very difficult and many times these political appointees don't have the institutional knowledge to tinker with the inner workings of a particular department or a particular agency. My colleague Paul White recently wrote a piece in the "Post" talking about how the size of the domestic agendas have contracted substantially in part because the Senate is no longer the incubator of these important policy changes and ideas, in part because the way the Executive Branch is run, it's very slow moving. The Executive Branch itself is inclined toward status quo. I would ask that you think about politicization, a positive side of it, and that is that this new person was elected with a large majority and that people expect change and so one way to do that and to try to steer this massive ship of state is

to have people at the highest levels of government scattered across the government in an effort to promote those various goals.

I would also point out that over the years you call friends who have been long-time workers at the Department of State or the Justice Department or different places and they will tell you that these appointees come and go and it doesn't make a whit of difference to them, that the wheels of government keep on turning, they continue to do their jobs, and it doesn't matter whether it's Condoleezza Rice or Colin Powell or whomever it might be because their job by and large stays the same. There are obvious exceptions and we've learned about a lot of those exceptions where we've seen the more pejorative side of politicization at the Justice Department with the U.S. attorneys, an enormous problem in other sorts of political aspects, but I would ask that you also think about this other side of politicization and this notion of presidents having some capacity to try to steer the ship of government in a way that's consonant with their goals and their priorities.

Then turning to what tips presidents and the new administration might want to consider, my first tip, and this dovetails nicely with what David said, beware of the mindset that good campaigners will be good government employees, that many times the skill set that is utilized in the heat of the campaign is very different and in some ways

contrarian to the skill set that is needed to govern. When you're running a campaign, it's a zero-sum gain, win at all costs, war room mentality. When you're governing you have to appreciate nuance, you have to be willing to dive into the details of various policy proposals, you have to be willing to negotiate, to compromise. It's a completely different set of skills and I think that historically there have been some individuals who have been very senior in certain campaigns who have simply said I don't want to govern. That's not what I do. The first example that comes to mind is James Carville in the aftermath of the 1992 Clinton election. He said, I don't do governing. I'm a campaigner plain and simple and that's not what I want. I don't want that kind of job. He ended up being a consultant and being paid by the DNC to advise President Clinton. But I respected the fact that he was willing to admit that his skill set was not one that would be good for government. So I urge this current administration or the president-elect to think about the kinds of people who dedicated much of their lives, sacrificed probably a lot of important issues that came over the course of the last 22 months, but to think carefully about whether they are a good match for certain jobs in government.

Secondly, I think it's important that this current administration or the administration to be takes advantage of the Clinton talent pool. You don't want to overbrand yourself with Clinton such that people think it's

Clintons redux, but there is very much to be said for institutional memory and institutional knowledge. As David expressed in his presentation about the complexity of the different types of positions you can get whether it's Schedule C or what have you, it's a very complex organism such that if you have some experience, if you have somebody who knows a lot about a certain issue especially one maybe related to the Department of the Treasury and how to get us out of this economic mess, you need to rely on experience to some extent. So I would not brand the Clinton people as personas non grata right now because of their having worked in a prior administration. In fact, if you look at data about people who staff the White House and people who go into senior cabinet positions, what you find is that you worked in the Clinton administration at a certain level, now is your time to bounce up and get promoted in that next Democratic administration and that's how people work their way up in government by having prior jobs in other administrations which again is indicative of the fact that they've gained some knowledge and that knowledge is useful in governing.

My third tip is to keep in mind that staffing the government is not a one-time project. The White House Office of Personnel has to be running full throttle throughout the entire first term. Myself, Steve Hess and a former colleague, Matt Dickinson, have done a lot of research about

White House staff turnover, and others like Paul Light and Calvin McKenzie have done work on cabinet and senior appointee turnover. What they find is that average turnover is about 18 months. If you think about how much time is spent getting these people confirmed in the case of the roughly 500 Senate-confirmed people, they finally get into the job, they up and running and they're gone roughly 18 months later. This administration needs to be thinking not about staffing in the short-term, but constantly staffing and restaffing throughout the course of the administration. It's not a one-shot deal.

It's also the case that if any of you were hoping to get a job in the Obama Administration and you get passed over this first time, hang in there because chances are roughly 18 months from now after the midterm elections there is going to be an exodus out and there are going to be new people coming in. It is a constantly churning machine and so I think it's important to recognize we all like to talk and speculate about staffing in the beginning of an administration, but in fact it's an ongoing issue that in some instances is very difficult for administrations because they have trouble keeping the recruiting going especially toward the end of an administration.

MR. GALSTON: Thank you for that equally lucid presentation. As some of us say, from your lips to God's ears, but we shall see.

Just to give you an example of the magnitude of the choice facing the incoming administration, I was on a transition-related panel just last night and one of the participants was Bob Nash who served as Director of Presidential Personnel under President Clinton for quite some time, and early in the conversation the arose how many resumes do we think that the Obama transition is going to receive. He said very casually at least 200,000. People's jaws dropped. So the next question was, Bob, how did you arrive at that estimate, and he said it's simple. Sixteen years ago we got 130,000 resumes and so I simply corrected for inflation, but that sure had the ring of truth to me. Most of the audience was made up of people under the age of 25, and as I've told some people, the rest of us sort of quietly made our way off the stage and about three dozen of them surrounded Bob Nash afterwards and it was clear that they were all trying to get tips from him about how to get jobs in the Obama Administration. So I think 200,000 resumes may be a low-ball estimate.

I do have a question that I want to put to the two of you, just one before we proceed to what given the size of this crowd is likely to be a vigorous discussion period. Namely, do we have to distinguish among

agencies and functions when we talk about the plusses and minuses of politicization? Let me tell you what I have in mind. There are some agencies where the mission is in effect defined by the task and the only question is how well or how badly a fairly well-understood job is carried out. In the Bureau of Labor Statistics, that's an area where competence is to political direction as 99 is to 1, and FEMA is a lot like the Bureau of Labor Statistics in the sense that when the crunch comes, everybody understands what the job is that they're supposed to be doing and the question is whether they do it well or badly. So when all of us were staring at the television for 3 days in horrified fascination during Katrina, we weren't asking ourselves should they be coming in with food supplies and performing other functions, we all had our checklists of the functions they ought to be performing, we all had the same checklists except maybe Michael Brown, and it was very, very clear to us that that job was not being done or not being done adequately. I would distinguish between that at least intuitively in agencies and departments where the direction is itself at issue and where the cost of not getting a hold of the fundamental direction of the agency may be very high. So if an agency in this model two is very efficiently going in what the American people say is not the right direction, then the argument for getting control of it and changing direction even at the cost of efficiency defined administratively and

bureaucratically, I don't have to finish that sentence. My question to both of you is does that distinction make a difference and is so how?

MR. LEWIS: I'll attempt that first. I guess my response to that query is I think so. I think it should make a difference, at least your impulse to get control of an agency is weaker when there's not so much partisan or ideologically at stake. That said, FEMA is an interesting example because when you start thinking about government agencies and thinking which ones are apolitical and which ones are really more task oriented where there's a lot of agreement, even in a case like FEMA there are fundamental policy disagreements about how FEMA ought to operate. For example, in the transition from the Clinton administration to the Bush administration, the Clinton administration had a very clear, all-hazards approach to the way that FEMA ought to operate and they had in fact resisted attempts to take on terrorism responsibilities within FEMA. They felt like this will distract us from the all-hazards approach, I'm not sure that we can do this very well. The Bush administration came in and said we have two problems with FEMA. One is that they should be doing more terrorism stuff, and two, they're giving away money too easily, that natural disaster declarations are becoming a form of pork and so we're going to rein that in, so there was an attempt to get control of FEMA in some way, and even these apolitical agencies have a political component to them.

One other thing I would note, Bill, about your comment is that there is also a dynamic here associated with how important things are for a president's agenda and FEMA is one of those agencies where it's not on the president's agenda most of the time. It doesn't matter to presidents unless there is a crisis. And because it's not on the president's agenda most of the time, then it gets filled with third- and fourth-tier political types most of the time. Then there will be a disaster and then we will change our minds and think maybe FEMA should be on our agenda and then there is reform, and that is its historical cycle.

The other thing to note here about your example is the Bureau of Labor Statistics is a hard to place to point appointees because there are not a lot of people who do econometrics or it's hard to put unqualified people in there. FEMA is the kind of place where you could hide people relatively easily until there's a huge crisis because there are lots of really not very well-qualified people in terms of emergency management all throughout FEMA's history but we only get to know them after Hurricane Andrew and Hurricane Katrina.

MR. GALSTON: If I could just follow-up for a second, if you're a smart president you will understand that you can be harmed severely by a failure of an agency such as FEMA in a moment of crisis, and as a matter of fact, there's an immediate history to this because as

you know, FEMA's underperformance during the last 2 years of the first Bush administration, George H. W. Bush, was not an insignificant contributor to his loss of popularity, and especially of you've served as a governor and you've been on the receiving end of competence or incompetence in disaster relief, you ought to know that nobody will notice FEMA when it's doing its job well, but if does it poorly, everybody will know and you will be blamed. This is one of the things that Bill Clinton I think was drilled into his consciousness during 12 years as Governor of Arkansas, namely, FEMA matters and it matters not just to the people who need help, but it matters politically to people who are held responsible for its performance. So the argument that it's not on the president's agenda which is almost always true is not an argument that it shouldn't be on the president's radar screen because if it's not then it's sort of like owning a house without an insurance policy. When you don't need the insurance policy, fine, but if you do, you better have one.

MR. LEWIS: I wholeheartedly agree. You're absolutely right in your diagnosis of what happened with FEMA. George H. W. Bush had a terrible political disaster right before the election because of the poor response of FEMA in Hurricane Andrew in Florida, an important state as we know. After President Clinton comes in, he appointed the first professional emergency manager ever in the history of FEMA as the

director, they cut the number of political appointees, and they staff the other politically appointed positions with other professional emergency management people. You'd think that George W. Bush having lived through the experience of his father's administration would have made a similar type of decision.

MR. GALSTON: And being a governor himself.

MR. LEWIS: And being a governor. Absolutely.

MR. GALSTON: In a state whose southern coast is exposed to disasters repeatedly as we've seen.

MS. TENPAS: The other irony there too is that many of the people who George W. Bush put in his staff were people who had worked in the Bush administrations and had close ties. So in fact, they made the same mistake twice.

MR. LEWIS: Andy Card was the person that the first President Bush brought in to clean up the mess in Florida. So when Wallace Stickney, the head of FEMA at the time that Andrew hit, proved himself unable to do the job, he was pushed to the side and Andy Card was the person who was brought in to take over FEMA's response afterward.

MS. TENPAS: The importance of why you need institutional memory. There it didn't even work, but you hope that if you hire people

who have gone through these experiences before that you can avoid them.

I also want to point out something I would call the backlash effect, and that is when prior administrations make major mistakes like putting who's completely incompetent into such an important position, the next administration is very careful to avoid such mistakes. So I am sure that this is very high on the agenda of the Obama personnel machine when they start to give out appointments. The press would love a story like that. Anybody would love a story to be able to say look who they put in charge of some bureau in the Commerce Department or something. A somewhat analogous situation though a fair bit different was the reaction between Clinton and the current Bush administration, and that is that there was a perception during the Clinton administration that the pollsters were always in and out of the White House, the West Wing, that they were advising the president, that the president would put his finger in the air and ask what the pollsters were saying about different things. When President Bush was elected of course he had pollsters. The RNC spent a great deal of money on pollsters, but did you ever see Jan -- anywhere near the White House? No. It was very much created this buffer such that Karl Rove received all the polling data and pollsters were nowhere near, and that's somewhat analogous in the sense that they realized that the

electorate didn't want to hear anything about polling and public opinion and how it was utilized in the decision-making process and so they completely shied away. So of you fast-forward to this example of what happened with FEMA, I think this administration realizes the incredible importance of putting competent people in serious positions and you hope that the same mistakes will not be repeated.

MR. GALSTON: Let me stay on the FEMA example for one more round before turning to the assembled crowd. A friend of mine, Elaine Kamarck, who teaches up at the Kennedy School and was in charge of Vice President Gore's National Performance Initiative, has argued that the fundamental problem with FEMA in this administration is that it has lost its status as an independent agency and has been subsumed under a larger entity, namely, the Department of Homeland Security, with multiple goals and that the loss of competence and effectiveness is at least much related to its bureaucratic transplantation and loss of independent status as it is to the actual personnel choices and that therefore if you want an effective FEMA in the long-run, restoring its status as an independent agency is a necessary though perhaps not sufficient condition. Why might that be the case? Let's apply some of your own reasoning about the attractiveness of positions in an administration to the question of bureaucratic organization. If you're the

head of an independent agency reporting directly to the president, that gives you a certain kind of status and makes that job relatively attractive. If you're two or three levels down in a department with 150,000 employees, a department whose primary mission is actually historically in tension with if not at odds with your own, that gives that job a very different cast and maybe the former general counsel of the Arabian House Breeding Association or whatever it was beings to look like about the right caliber of appointee in those circumstances. Analytically how much difference does bureaucratic structure make?

MR. LEWIS: My answer to that question is I agree with Professor Kamarck on this to some extent, so let me give some counter evidence that there were problems before it moved into DHS. One is the Federal Human Capital Survey in 2002 before FEMA was moved into DHS or right before reported that FEMA was the least-liked place to work in government before they moved into DHS. The other thing I would say is there was some discussion that Allbaugh took the job at FEMA because he was exiled, he didn't get the job that he wanted in the Bush administration so FEMA was the job he got pushed into which suggests that it's not among the very attractive jobs in a new administration in any case whether it's independent or not. But I think your larger point, these things can all be true together, that moving FEMA into DHS only

exacerbated problems that were already existing there and for the reasons that you suggest. So not only did FEMA get moved into DHS, its salary got reduced, so the position went from an executive-level 2 or 3 salary to one level below that. So you lose salary, you lose prestige, and then you get a layer of literally I want to say 60 or 70 more political appointees on top of you in FEMA now whereas before you were independent and could go directly to the White House. Who wants that job? It's going to be incredibly difficult in that environment to recruit the very best people to come work in FEMA and not just at the top level. So when FEMA moved into DHS, Joe Allbaugh said I'm leaving and with him his appointee team and the top career professionals in the agency all left so there was a huge exodus when FEMA got moved into DHS which is part of the reason why it was so low capacity at the time that Katrina hit.

MS. TENPAS: I would say this is broader reflection of the unintended consequences of government reorganization. When you create new departments and you move units around in such a manner there is going to be fallout. You might think it's a good idea and it makes sense rationally to move something where it's more categorically similar to the other groups in that department, but inevitably you're going to have some sort of fallout and in this case it seems as though there were layers and layers and layers of other appointees on top of this making the job

much less desirable. So you recall are going to get a public servant in the true sense of the word if they will that job with somebody who's competent.

MR. GALSTON: We're right on schedule and I'm going to turn to you now, I believe we have a roving mike, and we have our first question right up here in front.

MS. ORCHOWSKI: Peggy Orchowski. I'm congressional correspondent for "Hispanic Outlook" magazine. I cover immigration a lot and just wrote a book on the politics of immigration, particularly the management. So I think this is going to be a very interesting example. I have a general question and maybe use immigration as an example. Everyone said that the general philosophy of the Republicans was for smaller government so you could say that some people came in with the mission of sabotaging strong government, whereas the Democrats are supposed to be for more strong government. I wonder if there is a factor there that you're going to see. Using the immigration example, it's interesting because the INS of course after 9/11 no longer exists and the whole thing, Immigration Enforcement both on the borders but also for the first time internally was subsumed under the Department of Homeland Security. We have a whole new department now. I'm curious about Obama is now filling a new department that didn't exist before and now

there is an enforcement arm, an Interior Enforcement arm, that never existed in immigration before and that's ICE, Immigration and Customs Enforcement. Michael Chertoff has been very strong about enforcement because he comes out of an enforcement arm. Someone like Margolis who was head of INS before under the Democrats who is at the Migration Policy Institute right now who might be looking at that kind of a job was never that interested in internal enforcement. So again I'm wondering now of course it's also buried under layers of bureaucracy that it wasn't before as INS and so I'm wondering just about that role and in terms of strong government and weak government what you think may happen.

MR. LEWIS: I would say in general, to get to your first question or comment, it's true for both Republicans and Democrats that there are things you want to work well and things that you don't want to work well. So if a president comes in and they have very little concern for a particular program or even want it to fail, that can cause real problems and make politicization a really attractive strategy so it's difficult for President Reagan to recruit people to work in the Education Department because he campaigned on eliminating the Education. Department.

What's also true is that President Clinton wasn't crazy about the Office of National Drug Control Policy and so it's true for both Republicans and Democrats, although there is a small-government, big-

government difference there as well although Republicans are less vigilantly small government these days than they were at one point.

Your point about the Immigration and Naturalization Service and its breakup and its merger into the Department of Homeland Security I think is absolutely right. I think that we should be concerned about the performance of these agencies that have been merged into Homeland Security more generally. One of the disappointing factors with Hurricane Katrina was the Department of Homeland Security was in the midst of a big review of how they had organized themselves and how their planning was working going forward at the time that Katrina hit and that completely got derailed in response to Katrina. So the transition is going to be really messy not just in replacing these people but trying to pick up the pieces of how these mergers and reorganizations are working and that's a big issue that the transition team is going to have to work on. The one person I know who is working on this for the president-elect is extremely competent so I'm optimistic. Tino Quea.

MS. TENPAS: I would say that in terms of which party supports big government versus small government, the Republican Party historically has been less government is better, but clearly with this administration they have lost that mantle entirely and much of it was because of the shock to the system of 9/11 and the need to create

eventually the Department of Homeland Security. So I don't think either party can claim being enchanted with the notion of small government. Those days are over, and I think you could make an argument that those days have been over since FDR and the New Deal and the fundamental notion of what the role in government in our country should be really changed at that point.

The other thing I'm wondering with respect to the individual that you said was interested in this particular job but not interested in the enforcement component, I don't know the answer to this, but I'm wondering since it's a congressionally established department if presidents can within the organization alter it such that his portfolio would include the INS part but not the ICE part, not the enforcement part, and then you would have somebody with prosecutorial experience maybe who was doing the ICE part. I don't know if it has to be a congressional statute that alters the responsibilities within those units or if it could be an executive order if you can just do it and say this is how we see the department and see that there is a fundamental distinction between INS and ICE.

MR. GALSTON: We'll stay in the front for one more question. Sir?

MR. MITCHELL: Thanks for a very interesting discussion, by the way. I'm Gary Mitchell from the "Mitchell Report" and I'm going to do my best to frame this as a question, but I have been listening to this conversation and thinking we've been talking about professionalization versus politicization, and I was thinking about a third P as it relates particularly to the very high-level cabinet and deputy appointments and that's proximity meaning relationship to the president. I'm not clear whether this is something that, and I don't mean proximity per se, but here's where I'm headed. We're about to see the unfolding of the Obama cabinet. We know that there are a lot of factors that he must take into consideration as any president must, but he has also laid a burden on himself by talking a lot about bipartisanship so the expectations are that we're going to see some Republicans in the cabinet.

There are historically two cabinets that are used as models, the Lincoln cabinet which was intensely political, and the Wilsonian cabinet who was the professionals. I'm interested to know whether if you think about politicization, professionalization, and proximity, and the selection of this cabinet, and I'm not asking you to say who's going to State and who's going to Defense, et cetera, but of those people who are in the departments, the civil servants, the people who really make the trains run on time, is there a way to say either department or department

or overall taking the three P's, what's the most-important signal to send into the organization among those three or what's the balance?

MR. LEWIS: That's a good question. What your question raises is one of the conclusions you wouldn't want to draw from the FEMA example and James Lee Witt, for example, is that you cut out all the political appointees. One of the secrets to Witt's success was his proximity to Clinton and the implied threat that if you don't do what I want then the president will come down on you. In terms of the agencies themselves, I would say to make a general point, we have moved away from the Lincoln type model for staffing our cabinets and we've moved toward a loyalty model of the cabinet. All the cabinet posts in some ways have to meet certain public expectations, but in political appointments in general, presidents are much more concerned now about loyalty and fealty to the president than they were in earlier periods.

If you're working in a department do you want an appointee close to the president or do you want one who's a professional expert? I think that you'd probably want the latter if you had to choose between the two because it validates what you do on a day-to-day basis and you have some confidence in the way things are going to go.

MS. TENPAS: I don't see why you can't do both, find somebody who's been loyal to your campaign who is also a professional

who could be the Attorney General. I don't think those are mutually exclusive. Proximity, by that do you mean their relationship with the president and the inner circle such that a James Lee Witt would have more influence by virtue of his prior relationship?

MR. MITCHELL: I'm thinking of a couple of obvious examples. That fairly embarrassing moment in the receiving line at the Reagan White House when HUD Secretary Pierce came along and Reagan introduced himself. It's tough to have someone running a cabinet agency that the president didn't even know. That's the extreme example.

By all accounts to the extent that Condoleezza Rice has been successful at State as opposed to in State, a lot of that has to do with her proximity one could argue that Powell didn't have. That's the kind of thing. Relationships are hugely important and I was curious.

MS. TENPAS: I think presidents make tradeoffs depending on the period of time and the circumstances. I think it's fair to say that the early Clinton cabinet was a cabinet of strangers meaning that he was really trying to achieve a cabinet that looked like America such that he didn't know Janet Reno personally. He didn't know some of his cabinet members. Some of them had some loyalty attached to him but by and large it was a cabinet of strangers I think. One of the overarching trends that has occurred within the Executive Branch is the centralization of

power and decision making within the White House such that cabinet members now are arguably less influential than they were during the FDR era. So if you believe that that's the trend and that's the current status of cabinet officials, you might say of the three P's the most important one is professional.

MR. GALSTON: To which I'll add that in many respects bureaucratic anatomy is political destiny and when Karen Hughes for example went to become the new Under Secretary for in effect Public Diplomacy you might have thought that that intense personal relationship with President Bush, no one was closer to President Bush than Karen Hughes, might have paid off in increased status and improved performance for what turned out to be backwater in the State Department, au contraire. So in additional to all of the factors is the structural factor and there are some structural disadvantages that not even the advantage of proximity to the president as you've defined it can overcome.

I will now arbitrarily begin to move backwards in this room. Where was the next hand?

QUESTIONER: Can we go back to the Bureau of Labor Statistics for a second? I take it your point that presidents want well-functioning agencies, but when the BLS functions well, half the time it burns the president. I also take your point that it's hard to put

noneconometricians into that agency, but surely there is someone in the country who if he or she were of a mind to and the president were of a mind to could make that agency's reports be a little more favorable to whoever is in office. I don't think that's ever happened, I'm curious why, if I'm right that it's not been tried.

MR. LEWIS: It's generally true that in these very technical agencies presidents are hesitant to dump political appointees both because of the dramatic effect it could have on the output of the agency. So you can imagine a bunch of noneconomists being put into the Bureau of Labor Statistics, political hacks, and what effect that would have on its work product, so they are constrained in that regard.

They're also constrained to the extent that there just aren't a lot of academic economists who are actively involved in politics. So the type of people that you would want to put in charge to change the direction of the Bureau of Labor Statistics, you could probably fit the number who are politically active who maxed out on their donations to the campaign in one bus and how many of those who are working on this in this one bus are willing to move their families and take a job as the head of the Bureau of Labor Statistics as opposed to their cushy job at the University of Chicago or the University of Michigan or something like that? Is that getting where you were going?

QUESTIONER: I take that point, too, but there's got to be someone. It seems to me, and tell me if I'm wrong, that presidents have adopted the view that as much as this agency can hurt me, it's just not worth messing with because I'm sure you could find one. I don't know how many buses there are, but there's got to be someone from the University of Chicago who's willing to come, a true believer, with some aides and try to redirect it. I'm not talking about any particular president. But to what degree is it just an ethos that you don't mess with these crown jewels in the federal government even though the crown jewels can shine a bad light on you every once in a while?

MR. LEWIS: Your point is well taken. I think that there are certainly these cases where agencies are perceived as being apolitical and you don't mess with them, but we thought that about the U.S. Attorneys as well, that you don't want law-enforcement officers at this level implementing the law in a particular kind of way in response to political pressures. That's not to indict this administration over those choices, but just to say it's more difficult, it's more costly if you violate these norms in particular agencies like the Bureau of Labor Statistics or the U.S. Attorneys and because it's more costly it doesn't happen very often, but it's not to say that it never happens. It does happen in some cases.

MR. GALSTON: It does happen in some cases, but I think you just made the critical point. In a lot of these agencies that are held rightly or wrongly to be farther away from politics than others, there are organized subcommunities that will jealously, zealously safeguard that distinctive status and will tend to come down on the Executive Branch like a ton of bricks if they think there has been a deliberate violation of what should be inviolable. I think we saw that in spades, and I bet now that if the president and the people around him are doing an honest after-action review of that entire venture, they would probably come to the conclusion that the price that they paid for breaching that inviolable boundary was excessive judged by their own metrics.

But now let me argue against myself just a little bit with regard to the Bureau of Labor Statistics example. Next week I've been asked to serve on a panel that will discuss the definition of poverty in the United States. We have had essentially the same definition since 1965 when the sainted Molly Orshaneky I think devised the measure, and it turns out that there is not only a history to that measure, but also a politics to that measure and many conservatives believed that that measure now dramatically overstates the actual rate of poverty if we define poverty the way poverty intuitively ought to be defined. Conversely, Michael Bloomberg's administration also got dissatisfied with the poverty measure

and so they went through a 2-year drill and came up with a new one and their finding is that there is more poverty in New York than the official statistics would indicate. So even within the framework of a technical agency like the BLS there may very well be politically laden policy issue where the direction in one way or another could be influenced and under those circumstances it would be I think within an administration's rights to at least try to find some people to put into the agency at the beginning who might take the policy discussion such as it is in a somewhat different direction. As you point out in your book, Woodrow Wilson's famous effort to draw a bright line between politics and administration has been trashed by generations of P.A. scholars and it doesn't look any better now than it did 50 years ago. Other questions?

MS. : In thinking about what you said about restructuring agencies can have a detrimental effect, how important then do you think it is to have people who are attentive to interagency coordination and especially in I think the context of environmental policy which is scattered throughout multiple agencies in the cabinet and how perhaps an ethos to coordinate with Ag and NOAA and the Department of the Interior is probably very important in the coming years?

MR. LEWIS: I would say it is extremely important. Interagency coordination in a government as big and complex as ours with

the diversity of agencies and federal mandates that exist across departments, you can't get government work done without interagency coordination. The difficulty here of course is that given what Katie has said about the duration of politically appointed officials, it's hard to keep interagency teams working well at the appointee level because of the turnover that happens so regularly. Then the question is can we have interagency coordination at one level below that? That works fine if there are career professionals doing the interagency coordination, it doesn't work as well if political appointees keep going deeper and deeper into the bureaucracy. Then if you do interagency coordination down at the middle levels where the civil servants are left, they don't have the juice to actually do much at that level so it's really difficult to separate the phenomenon of politicization of the bureaucracy and the effectiveness of interagency coordination.

MR. GALSTON: Other questions?

MS. : I'm a reporter from China. Actually, this question is for Mr. Galston. Obama is well known for motivating the grassroots, do you think his election as the next president can be a good opportunity for Americans to participate, civilian participation for the decisions of the political appointees maybe by the internet, and Obama always listens to

public opinion? Do you think he can resort to civilian participation to make these decisions?

MR. GALSTON: You have just asked a question that is being hotly debated as we speak. As you might imagine, not only officials of the Obama campaign but the people who devised the software and who organized the massive participatory volunteer effort in the Obama campaign are trying to think through the ways and means of turning it into an enduring movement because every president wants to find ways to appeal over the heads of the press and over the heads of Congress directly to the American people and even get the people to put pressure on Congress and the bureaucracy to move in the president's direction. That's every president's dream and when it works it can have spectacular results. The best-known case probably is when Ronald Reagan appealed over the heads of members of Congress in 1981 to the people directly in order to generate greater support for his very significant tax cut and that was a successful effort. Then President Reagan's great idol, President Franklin Delano Roosevelt, used the radio as a way of communicating directly to the people and inducing them to put pressure on the government although Roosevelt enjoyed such massive majorities that he usually didn't have to worry as much as President Reagan did about influencing Congress.

One of the issues being debated now is whether a popular grassroots movement is the same as a classic interest group. If you are a labor union or an organization of labor unions you have an institutional identity, you have persistence over time, you have clear interests, a clear agenda, and that gives you incentives not only to participate in the political process at the beginning of an administration, but to stay involved. A grassroots movement is much more moved by enthusiasm than it is by enduring interest, to say nothing of the fact that the people who made up the vast Obama army of nearly 4 million individual contributors, many hundreds of people who did some direct volunteer work for the campaign, they are interested in all sorts of different things. Each individual in that very large group was brought to the Obama campaign by distinct and individual motivation. So knitting all those people together into something that lasts over time is not simple. I'm not saying it's impossible, but it would break new ground in American politics and would be I'd say a victory for those who are arguing that the technological change represented by contemporary information technology is a qualitative change and not just a quantitative change, one which makes possible the great democratization of American politics, the one that goes some distance toward fulfilling the age-old dream of reformers in our representative system of government, namely that the government would

also become more participatory at the same time that its representative in structure. That's a very elaborate answer to your question and I can assure you this question also came up in the transition panel last night and we kicked it around and frankly we didn't reach a clear conclusion because the challenge is both technical and conceptual and whether that can be solved the way the enthusiasts think it can be and hope it can be, stay tuned for a couple of years and I think you'll have the answer to your question. I'm going to move back one row.

MS. FRIEDERSDORF: Priscilla Friedersdorf with the "Iowan Sun." I had a question for you and would like you to reflect on Freddie Mac and Fannie Mae and whether the privatization of those agencies was detrimental and would have been better left in the hands of top-level bureaucrats.

MR. LEWIS: I think I will safely say that having people in those organizations whose interests are the interests of the national government and taxpayers and giving them more influence in those organizations probably would have been helpful in the types of decisions that they made. What that means structurally in terms of whether the privatization of those organizations is a good idea of bad idea, I certainly think more government involvement and oversight in what they were doing

would have been helpful although I am no expert in the housing markets myself.

MR. GALSTON: The standard answer to your question which I'll recycle is that the problem with those two entities that you just mentioned is that they were neither fish nor fowl, neither purely private nor purely public. So you got the worst of both words and that it would have been better if they had been purely private in which case they wouldn't have been able to rely on the implicit government guarantee for the securities they were issuing and would have had to meet market tests and would have had much less of a claim on the public treasury, or purely public in which case they would have been judged by social and political objectives and not market objectives, but then they wouldn't have been able to mobilize nearly as much capital as they did and probably would not have been able to do as much damage to the general welfare as they ended up doing.

So I think that you've raised the right question by casting it in terms of the public and the private, but the problem is there's this strange intermediate status that those two organizations occupied that really operated very perversely in the end because they could have shareholders, a high stock price, generous dividends to shareholders, huge salaries to senior officials far beyond what a pure government

agency would possibly have tolerated, ten times as much as they could have tolerated, and so it was the worst of all worlds.

I see a gentleman with my color hair.

QUESTIONER: In the 1970s leadership and responsibility for environmental regulatory and especially energy policy was transferred to the Congress from federal science and professional agencies. Senator Bingaman has indicated that this has not had a good result and that Congress is almost totally ineffective and can't be relied on to produce any effective programs. Senator Obama hinted in some of his responses in interviews that he understood this issue. Can you suggest whether his appointments or his focus is going to be on doing something about congressional law-making procedures, because without having an effective way to create energy policy we're going to be in a very bad way.

MR. LEWIS: I think I would say during periods of unified government at least our expectation is that the leaders of the two chambers in Congress and the president can work more closely together to create a more unified policy, that is, Congress is more willing to go along and plan together and create policy together. But knowing what we do about Congress and the way people protect their turf on different committees and so forth, things will be better in terms of a unified plan, but

my expectation wouldn't be that you're going to completely get a plan that's unified between both branches.

The experience of President Clinton in the first 2 years of unified government during his administration suggests that there are real barriers even within parties to working together. You get some of these old bulls in Congress and the Senate that have particular views about how things should be done, they're very conscious of their prerogatives as members of the legislature, and they just don't want to go along with presidential leadership. I think that's less the case now than it was in 1993 and 1994, but those problems I think persist.

MS. TENPAS: I would also say that diversity within the Democratic Party with the Blue Dog Democrats and the more liberal Democrats does not in any way ensure that there is going to be unanimity on issues as controversial as energy policy. In terms of whether a president can influence internal congressional rule-making or procedural aspects, that's Article I and Article II. I don't think that Congress would ever let a president dictate how they conduct hearings or not conduct hearings or allow certain committees to mark it up and others not to. I think they definitely get territorial when they see Article II trying to encroach. And there's a backlash to what happened during the Bush administration where I think that many people believe as Tom Mann and

others do that Congress is broken, that it really became a supine institution that was trying to facilitate the Bush administration's agenda, and I think now it's an institution that really wants to get the reins back and try to be a vital force, Article I, the people's branch, and be there to represent the people and not be a supplicant to the Executive Branch and I think as people want the Obama administration to succeed and Democrats to succeed, I think we're going to see these streaks within the Democratic Party come out vying for different policies and different programs.

MR. GALSTON: I heard you also raising a question about the way in which professional and scientific knowledge does or does not influence policymaking if I heard you currently. I don't need to tell anybody in this room that that has become also a hot issue in the past 8 years under the rubric of the alleged politicization of science. As the son of a scientist I can tell you that science is littered with what I will unoriginally call inconvenient truths and there are lots of people engaged in the political process for whom the wish if the father of the thought and the thought is the father to the deed. So the deed is the grandson of the wish and the wish is not necessarily responsive to good scientific and technological knowledge or advice.

I personally think it's very regrettable that Congress in an ill-advised fit of budget cutting which inevitably means cutting the most-important things first got rid of the Office of Technology Assessment some time ago. That was a real vehicle for high-quality information and technological competence within the Legislative Branch and if I could wave a wand and make three bureaucratic administrative changes, restoring something like OTA would be one of them.

But you've raised a broader question about the attitude of political appointees toward scientific and technological knowledge and that is a broader mindset and if you are inclined to take science seriously, that will move you in one sort of direction. If you are a president who would like to see science taken more seriously, that should enter into the senior appointments process particularly in those agencies where policy is especially importantly influenced by the quality of scientific and technological information, and that's a lot of them these days.

Just to bring this home, I think there is reason to believe that the president-elect thinks of energy as his single most-important domestic concern, even more important than health care. If so, and if he's really determined to move that ball forward during his first term, then getting the science and technology right or at least as right as possible is going to be absolutely fundamental to the success of the endeavor. My assessment

of the president-elect for what it's worth is that he is a man who has a very substantial respect for expertise where he thinks he's found it. He seems to like to consult experts a lot. My guess is that he will give expertise considerable weight in his senior-appointments process and that even if basic institutions don't change, that suggests that your hope or what I detect is the hope in your question for a more seamless transmission belt between science and technological expertise in the formulation of public policy might actually come to pass.

MR. LEWIS: May I jump in here? One of the interesting things here from a president's perspective, so just think for a moment not about Democrats and Republicans but just about the control of information, science is difficult for presidents. It's difficult because scientific agencies can produce evidence that's consistent or inconsistent with your policy views so they really dislike having unemployment reports come out that are unfavorable or have conclusions come out about global warming that they don't like because it makes them look bad, they can't control the kind of information that comes out, and this can have political consequences for them. It gets back to this discussion we were having before about the Bureau of Labor Statistics. One of the interesting things in the early 1990s was there was a discussion about elevating EPA to a cabinet department. One of the issues that detailed the promotion of EPA

to a cabinet department was a disagreement about the creation of an Environmental Statistics Office within that department. The president at that time, the first President Bush, wanted that office to be headed by an appointee and the Democratic Congress wanted that office to be careerist run. The president said I don't want this office to be autonomous and to be producing statistics that we don't have any control over because this could lead to information getting out that could look bad to us. And there is this belief that there is disagreement in science naturally and so there are going to be people on one side of an issue, people on the other side of the issue, and that means that as politicians we have some ability to choose which of those views we like.

MR. GALSTON: We've come to the end of our allotted time and let me close on the following congratulatory note. I believe in the past 90 minutes I've just experienced a miracle. We're here in Washington, D.C. a week after the election with all these names swirling around us. I would have bet my bank account that this discussion would quickly turn away from these structural and institutional questions to the burning questions of the day. Instead, ladies and gentlemen, you've stayed in this room for 90 minutes and you have helped us conduct an extremely high-level discussion on fundamental issues of governance, the sorts of questions that are really going to determine I think the success or failure of

the new administration but which are almost never discussed anywhere. So before I ask you to join me in thanking our panelists, I'm sure I speak for them in thanking you for your attentiveness and for the very high quality of the questions posed to the panel. And with that let us thank our two superb panelists.

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CERTIFICATE OF NOTARY PUBLIC

I, Carleton J. Anderson, III do hereby certify that the forgoing electronic file when originally transmitted was reduced to text at my direction; that said transcript is a true record of the proceedings therein referenced; that I am neither counsel for, related to, nor employed by any of the parties to the action in which these proceedings were taken; and, furthermore, that I am neither a relative or employee of any attorney or counsel employed by the parties hereto, nor financially or otherwise interested in the outcome of this action.

/s/Carleton J. Anderson, III

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Commonwealth of Virginia
My Commission Expires:
November 30, 2008