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THE CURRENT: The president has COVID-19. Now what?

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PITA: You're listening to The Current, part of the Brookings Podcast Network. I'm your host, Adrianna Pita.

Late Thursday night, news broke that President Trump and the first lady have tested positive for COVID-19. This came a few hours after White House advisor Hope Hicks also tested positive, and just days after the president appeared at the presidential debate in Ohio, and a public rally in Minnesota.

With us to discuss what happens if and when a president is taken seriously ill is John Hudak, senior fellow and deputy director of the Center for Effective Public Management here at Brookings. John, thanks for talking to us today.

HUDAK: Thank you for having me back.

PITA: Just as a note for our listeners, we are recording this at 11:30 on Friday morning. At this point, what we know is that Vice President Mike Pence has tested negative. Former Vice President Joe Biden will be tested today, but we don't have news on that yet. So that's, that's where things stand as we are recording this.

John, I asked you to talk to us because you did write a blog post earlier this summer where you laid out a variety of scenarios and the procedures in place for handling instances of the president becoming temporarily incapacitated. As we know at this time, the president and the first lady have said that they'll be quarantining. And with Pence testing negative, things seem to be okay. This is stable. No one needs to freak out yet. But who makes decisions about how and when the president is considered incapacitated and when anyone else needs to step into his place?

HUDAK: We really have two processes in place in terms of who makes that decision about presidential incapacitation. The first one comes from section three of the 25th Amendment. And that decision rests with the president. The president can recognize when he is either about to be incapacitated or is starting down that path. We've seen presidents do this multiple times over the years. Typically, this happens when a president is undergoing surgery of some sort, in which they'll be under anesthesia, recognizing that under anesthesia, the president can't exercise the powers of his office. And when he does that, he signs a letter notifying the Congress that he will be temporarily incapacitated and during that time, the vice president will take over as acting president to be able to ensure that the government can operate and that the office of the president will continue.

In that case, that is something that is foreseeable and for most people dealing with COVID, if their condition is going to deteriorate, it is not something instance like a heart attack or a stroke. It is something that is somewhat foreseeable. And so, my guess is if the president were to endure very serious symptoms, need a ventilator, etc., he would be able to transfer that power to the vice president on his own. However, in the event that the president refuses to do so or something happens very suddenly, the vice president and the majority of the cabinet under section four of the 25th Amendment can make that decision for him or on his behalf and notify the Congress that the powers of the presidency have been transferred from the president to the vice president in a temporary fashion.

PITA: Okay. Then, another question is what does it mean to quarantine a president? There are obviously still staff who do come into contact with him. How much of the president's duties can be carried out in in isolation?

HUDAK: Effectively, anything that the president needs to do as president, he can do in isolation, particularly in an era of modern technology. The president can communicate over the phone or via a medium like Skype or Zoom—though, it certainly wouldn't be Skype or Zoom—with whomever within government or around the world that he would need to communicate with in a secure way. So, in that sense, things can go on as normal, so long as the president has his faculties and is not incapacitated. There are certainly some individuals like Secret Service who would need to stay close. And there are ways in which they can be put on shifts or kept in essentially pods working together and working separately, but at the same time, you know that there are certain situations which would call for a president to act in concert with others. And I think while the president can do some things remotely, certain other actions that would be extraordinarily extreme, such as using nuclear weapons, would probably require that that isolation and that quarantine to be broken by the military aide, who would carry the nuclear football with him or her. But of course, in that case, we're talking about life and death at a world scale, and at that moment, the coronavirus seems fairly small by comparison. But pretty much short of that anything that the president would need to do, he should be able to do either from the White House residence or by himself in the Situation Room communicating with others.

PITA: What about the rest of the staff at the White House? As I mentioned at the top, we do also know that White House advisor Hope Hicks has tested positive, the chair of RNC, Ronna McDaniel has tested positive and has been in contact with others working at the White House. What does this mean for them? Anyone who has any sort of glimpse at the building knows it's really, it's a lot of people in an old building. It's not really great for trying to maintain social distancing precautions while in the office. How does their work continue? And sort of the same question—how much of that can they do remotely versus who are the people who need to be there and maybe can't quarantine as well?

HUDAK: I think for White House staff, it becomes a bit more complicated. As you noted in your question, the White House is actually a pretty small place. A lot of White House staff actually work in executive office buildings next to the White House. But the most senior advisors to the president work in the West Wing, and the West Wing is, you know—in the TV show, it looks pretty cramped and in reality, it's even more cramped than that, so, it is very difficult to distance. So, for some of those professionals, they'll be able to work from home or perhaps work in other spaces. When it comes to national security issues and dealing with classified information, it is quite a bit harder to work remotely. There should be some plans in place in case you do need to isolate a president, in case certain key members of the administration needs to isolate as well, but it can create some disruptions in the workflow of the White House. But again, there's a lot that happens in the White House in a given day that's fairly routine, that if it

doesn't happen, it's not the end of the world. And when you start to talk about issues that are very serious and matters of life and death, I think White House staffers and, of course, the president will then weigh what needs to be done, who needs to be where, and the importance and magnitude of the decisions that need to be made, relative to the requirements of isolation and COVID.

PITA: Presumably, they're also all getting tested with some frequency. Has there anything public been said about that?

HUDAK: So, the White House chief of staff spoke briefly this morning and updated the public on the president and first lady's conditions. He noted that the president is mildly symptomatic and that obviously Hope Hicks has also tested positive in addition to the first lady, and Hope Hicks, the communications director, is also symptomatic. There is fairly robust testing in the White House among White House staff. My guess is that will increase, if it is possible.

And it's important to note too that, you know, I think we often see the presidency as one person. And that's particularly true of this president. And the reality is that the presidency is more than just one man, and in order to protect the continuity of government, we also need to protect the other individuals in the line of succession, starting chiefly with the vice president who, as you noted at the outset has tested negative today. But of course, he's going to need to continue to be tested. He's also going to need to isolate if something were to happen to the president, either quite tragically or if he were temporarily incapacitated. That is why the vice president is there. And so, protecting him is critical as well as the individuals who he may interact with, making sure that he's healthy and well and stays that way, but also protecting the remainder of the line of succession, particularly towards the top. That includes the speaker of the House, Nancy Pelosi, the president pro tem of the Senate, Chuck Grassley from Iowa. And the most senior members of the cabinet who succession would fall to next.

PITA: Then lastly, what is this going to mean for Trump's presidential campaign? As you noted, he is quite a singular representative for himself and his administration, and presumably the need to keep the vice president isolated will mean that he is limited in this capacity to appear as a surrogate.

HUDAK: Yeah, that's such an important point. And, and I think, you know, right now, most Americans are thinking about the president and the first lady and Miss Hicks getting well and getting through this and not becoming part of the darker statistics of COVID, but as I said earlier, the presidency is about more than one person. And the continuity of government is critically important. And so, we need to talk about the politics of that and the politics of the campaign. I don't think it would be smart for the president to suspend his campaign. I think that would be a sign of weakness—not political weakness domestically, but I think it would signal something fairly significant internationally that could be destabilizing. The president can campaign from the White House residence if he needs to, and he should do that. If he's well enough to do so in the same way that, you know, Joe Biden has done a lot of campaigning from his basement, for which he's been mocked by the president, but it is it is going to be the safer route.

For the president, you're also absolutely right. The vice president cannot go out on the campaign trail as a surrogate; that would be a threat to national security, it would be a threat to the line of succession. The vice president's health right now is just as critically important as the president's health is, and keeping him well, if he continues to test negative for COVID—ensuring that he continues to test negative for COVID—is in the national security interests of the United States. And so, the campaign will need to transform events will need to be cancelled or reprogrammed from an in-person event to a remote

event. But ultimately, the president and the vice president's health right now is primary. The campaign is secondary. And my guess is, I would hope at least that the Trump campaign, as well as the Biden campaign for that matter, have put plans into place for the what if. As you noted at the outset, Adrianna, I wrote this piece about what happens if the president were infected back in early July. I would hope that the White House and the campaigns have been thinking about these possibilities for longer than that. And if they have, then they'll put that plan into action and we'll see what the campaign looks like over the next couple of weeks while the president deals with COVID and hopefully gets well and how the campaign continues after that for the final five weeks.

PITA: All right. Well, as you say, well, we'll keep our ears and eyes open and wait and see what happens. John, thanks very much for talking to us today about this.

HUDAK: Thank you.