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THE CURRENT: How is Biden's presidential transition going?

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

In a country that's used to the presidential election being called on election night, there are approximately 11 weeks for the new president-elect to assemble their team and begin working with the outgoing administration to absorb all the information, procedures, and policies to make for a smooth transition and minimize disruptions of governance between administrations. This year, with President Trump refusing to accept the results of the election, the transition process was delayed by nearly 3 weeks before the standard meetings and procedures began to get under way.

With us to explain how the transition process was affected by this delay and what it could mean for the incoming Biden administration is Kathryn Dunn Tenpas, a nonresident senior fellow in Governance Studies here at Brookings, a senior research director at the nonpartisan White House Transition Project, and a senior fellow at the University of Virginia Miller Center. Katie, thanks very much for talking to us today.

TENPAS: Oh, sure. Thanks for having me. I'm happy to be here.

PITA: I wonder if I could ask you to start by giving us a short overview of what all gets packed into the transition period. There's personnel issues. There's office space issues. There's of course the access to classified materials and so on. What all is covered in during this time period?

TENPAS: Okay, well, I'll put them in order, with the most important first, and the most important is personnel. The president and his transition team need to make roughly 4000 political appointments and of those 4000, roughly 2000 are Senate-confirmed appointed positions. And so, it's a matter of lining up candidates, doing the best vetting you can. At this point, they're not getting help from the FBI during the transition phase until after they've been ascertained. So, I imagine that once it was clear that Biden would be the nominee for the Democratic Party, that he and his campaign started to put together names of potential candidates for these very high-level jobs, especially the Senate-confirmed ones, and they started to do their own informal vetting. Once he was nominated at the Democratic National Convention, he was then able to access the first tranche of resources from the GSA. And that includes things like office space, money to sort of pay an initial transition team, to provide for travel, to provide for furniture, copiers, computers, and things of that nature. So as of August, they were able to start to gear up in a more formal way, or at least have a separate staff that was dealing with the transition.

And then after the election, once the winner has been ascertained – which, as you pointed out was delayed – that's the point at which a second and far more important tranche resources is conveyed to the president-elect. And that includes not just the additional money and additional office space, but it also includes access to all of the agencies and departments across the government. It provides the opportunity for them to interview the outgoing political appointees, to interview the career staff, to get a sense of the lay of the land, and more importantly, to find out what the priorities are, whether it's the Justice Department, the Labor Department, the State Department. What are the pressing needs? What are the crises that are about to erupt that they should know about?

And then the third part is that once the president-elect is ascertained, he, or one day she, will be able to get access to the President's Daily Brief and be read in on all sorts of national security kinds of issues and information that they previously did not have access to. So that's sort of the nuts and bolts. It's identifying and being able to fill these positions on a quick expedited basis, but then also to start to absorb all the information from the agencies, the departments and in the national security realm.

So, there's clearly, 78 days is not enough to do this, but then having almost a three-week delay shortened it even more. It's pretty clear that the Biden people have an extraordinary number of years of service and so they understand how government works, and could do a lot on their own, but at the same time, one of the things that is probably going to happen as a result of the nearly three-week delay is that there will be a bottleneck with the FBI and that getting the clearances that they need for the people that they want to vet and want to appoint will be much slower because of that delay. There's nothing they can do in that regard, but it could slow it up. And that's exactly what the 9/11 Commission was trying to prevent by expanding resources and expanding the time that that the likely nominee, or the possible president-elect would get. They were trying to prevent such a glitch and such sort of any sort of truncation in this important time period where there's supposed to be a smooth and peaceful transfer of power.

PITA: As you mentioned, the, the 9/11 commission had cited in their report that that delay and transition between the Clinton and the George W. Bush Administration's in 2000 was very likely a contributing factor to the intelligence failures ahead of the 9/11 terrorist attacks.

The U.S. is currently in the throes of a deadly pandemic, with more than 2000 Americans dying every day. Can you speak at all to how the COVID response in particular may be affected by the delay this year?

TENPAS: Well, at this point, since a lot of the drug companies have created a vaccine that seems to be effective, the biggest job on the hands of the incoming administration is how to distribute this in the most effective manner. And so that what they have done is they've appointed, I think it's Jeff Zients, to oversee this distribution. It's all logistics right now to figure out how you can do this as quickly and as safely as possible. And so it's very important that the outgoing administration and people at Health and Human Services and Alex Azar has all of his appointees, that they work with the Biden administration to basically pass on what they've done to date and let them know of any possible pitfalls or any possible crises that might emerge along the way. From what I understand from news sources and other sources, it seems as though the Department of Health and Human Services is cooperating quite well, but as I mentioned, I think the pandemic is terrible, more and more people are dying every day. It seems as though we're actually at a peak right now. There's really nothing that the Biden transition team can do at this point in regards to that, but they can do whatever possible to expedite implementation of the vaccine.

And they're also doing other things that might be a little bit more symbolic but might help. He's already assembled a health team, appointed a new FDA that seems eminently qualified, and emphasized over and over again the importance of social distancing and wearing a mask. And he's not just emphasized it verbally, they are sort of walking the walk and they're practicing what they preach. And it's difficult to know how effective that is going to be, but it has to be more effective than a sitting president who refuses to wear a mask and is holding large rallies where there's no social distancing. So, I think just the mere fact that he's kind of ushering in a new approach to how to deal with the pandemic and how to structure your daily life, I think that will be effective even though that's not really part formally part of the transition or anything like that.

PITA: Sure, nothing like the power of setting a good example.

You mentioned HHS, Health and Human Services, seems to be cooperating well with transition. We have, on the other hand, heard reports that the United States Agency for Global Media – that's the agency that oversees the Voice of America – is reportedly still refusing to cooperate with the transition team. Are there other any other holdups or agencies where there's friction that you're aware of? How have different arms at the Trump administration been cooperating or not with the transition process?

TENPAS: You know, I think overall it's actually been pretty good. I know that in the earlier phases -- I didn't mention this early on about the transition -- but what actually starts to happen in February of the election year, is that the agencies and departments are formally assigned to provide briefing materials for the possible transition to power. And so, they've been working on those briefing books for the past several months. I mean, it includes everything A to Z from budgets to whatever personnel issues they're having to, maybe computer issues, technology issues. And so, they're preparing these and they have prepared them, and I have been told that they have done a really terrific job of putting all these materials together to help the incoming administration. So that part of it's good.

I'm not surprised that there are some pockets of dissent. Even a week or two ago, there was some pretty staunch opposition from the intelligence agencies that are primarily located in Defense Department, but I have also read that they have softened up over time. So, the dissent to date tends to be sporadic, it tends to be -- it's almost like they initially start that way, but then they warm up and move on and allow the Biden team access. I'm sure it's highly frustrating to the Biden transition, but I also think that they anticipated this. They knew that, they had to have known, that there was going to be some pushback. That the president himself, I mean, he had said multiple times that he was not necessarily going to be accepting the election results. So even though it's frustrating, I think they're probably not surprised. And I think that over time some of that dissent will soften and they will gain more and more access. It certainly doesn't facilitate things, but I don't think it's the end of the world by any stretch

PITA: Well, Joe Biden, of course, himself has had many years of experience in setting up an administration, knowing how one works, and from what we've seen of the team he's putting together so far, He's bringing in a lot of people with similar knowledge and experience. Were there steps that the Biden team could or did take in the interim, while waiting for the official process to start to try and minimize the effects of any delay? Basically, how much will their experience, help them sort of accelerate the process, getting this done in a speed-run version?

TENPAS: I think that the experience is absolutely invaluable. They lost almost three weeks, but I was told during that time they oftentimes would interview people who had already left the Trump administration. They just sort of improvised; they did the best they could during that that period. But, as

you point out, the experience is really just the most valuable asset that President Biden and his team can have. Imagine if you were a governor from Plains, Georgia or governor from Hope, Arkansas and it's your first foray into the federal government. I mean, that would be a completely different story. But these people are steeped in the ways of government, the procedures, the norms. Sometimes, the maze at which government process appears to look like. So, I think compared to perhaps other presidents this experience is helping them even though it's a truncated transition

PITA: Lastly, of the 4000 political appointments you mentioned that he has ahead of him, Biden has been so far assembling what appears to be a historic administration, certainly in terms of racial and gender diversity. What are we seeing so far in this regard and how big of a deal is this?

TENPAS: Well, it's very important for a number of reasons, but two – or, one is he pledged to put together, assemble a Cabinet that looked like America. So, he's following through on that pledge. A related issue is that the election results indicated that Blacks, especially Black women, were pivotal in his election victory in some of the swing states. And so, it's important that he sort of respond to that constituency. He had already indicated he would support them. But you actually have to, you know, where the rubber meets the road, is he going to really appoint Blacks to these important high-level Cabinet positions? And I would say to date he has done quite well, both on the measurement of gender diversity and ethnic and racial diversity. There are far more women in senior positions. There are women in positions they've never been in for before, for example, Janet Yellen as secretary of the treasury. So, there have been some historic firsts so far; I anticipate that there will be more.

In addition, there's been some ethnic and racial firsts: appointing Alejandro Mayorkas as the first Hispanic to run the Department of Homeland Security is a first. Just recently, he announced that Lloyd Austin was his nominee for the defense secretary; he would be the first Black to hold that job. And then if you look at his White House, high level White House appointments, too, there are large number of women and a lot of these individuals are often -- both men and women -- there's a fair number of Hispanics, there's a fair number of Blacks. I think so far he's hit a home run in terms of diversity and appointing more women to a lot of these senior positions. There are still many, many, many, many, as you noted from earlier in the conversation where there's roughly 2100 positions that are going to be Senate-confirmed. So, he has a lot more to go. And I think that a lot of these groups are going to be advocating not just for the Cabinet secretary positions but for undersecretary, for that kind of next tier that's underneath the Cabinet secretary, because those are also really important jobs, very powerful jobs and it's important to bring a diversity of voices to the table.

There's been studies that show that decisionmaking is enhanced when there are multiple perspectives. So, I think it will serve him well. And I think, so far, he's off to a good start in that regard.

PITA: Alright, well, Katie, thanks very much for talking to us today and explaining what's going on.

TENPAS: You're very welcome.

