THE WHITE HOUSE TRANSITION PROJECT
1997—2017

RICE UNIVERSITY'S
BAKER INSTITUTE
FOR PUBLIC POLICY

SMOOTHING THE PEACEFUL TRANSFER OF DEMOCRATIC POWER

Report 2017—50

EIGHT RECOMMENDATIONS FOR FIXING NOMINEE INQUIRY IN THE PRESIDENTIAL APPOINTMENTS PROCESS

Terry Sullivan, Executive Director
the White House Transition Project

Funded by the MOODY FOUNDATION

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EXECUTIVE SUMMARY

This paper recommends changes to the presidential appointments process. It highlights three kinds of problems: inexperience, lengthening confirmation, and tedious and adversarial inquiry. Instead, it concentrates primarily on the process of inquiry that nominees face. It identifies patterns of repetitiveness among the approximately 2,800 details that a nominee must provide in responding to some 295 individual questions in nine categories. The most adversarial and tedious categories of inquiry include identifying personal background, reporting on criminal entanglements, and assaying potential conflicts of interest. The report identifies five strategies for matching the experience of the White House to the demands of presidential personnel. These changes also improve (indirectly) on the lengthening nomination and confirmation process. The report makes three recommendations about structuring inquiry which reduce the adversarial burden on nominees by 31%. The paper recommends against considerations of a single form as impractical.

Recommendation 1. Extend the Lead Time on Personnel. *The Congress should amend the Presidential Transition Act of 2001 to include earlier preparations for personnel issues.*

Recommendation 2. Strengthen Detailed Knowledge of Personnel Requirements. *The Office of Personnel Management and the Senate Committee on Homeland Security and Governmental Affairs should take steps to assure earlier publication of their Plum Book.*

Recommendation 3. Underwrite Technology Solutions in the National Campaigns. *The Congress should amend the Presidential Transition Act of 2001 to authorize funds to promote early preparations among national campaigns for personnel operations.*

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Recommendation 4. Authorize Access in the National Campaigns. *The Congress should amend the Presidential Transition Act of 2001 to authorize efforts to facilitate some access to the personnel system (e.g., giving them the software) for those in transition planning during the major national campaigns and during the president-elect's transition period.*

Recommendation 5. Create a Professional Staff to Undergird Personnel Operations. *The Congress should authorize a permanent expansion of the White House personnel operation. This new authority should create a permanent staff of professionals, overseen and supplemented by presidential appointees.*

Recommendation 6. Improve Redundancy in Inquiry. *The Congress should require the executive to develop a plan for improving redundancy in executive branch forms by taking the most general information required by any agency and requiring that level of information for all.*

Recommendation 7. Eliminate the Net Worth Statement in the Senate. *The Senate committees should agree to eliminate the use of Net Worth Statements in favor of requiring nominees to submit their SF-278 reports.*

Recommendation 8. Build a Model Senate Questionnaire. *To sponsor redundancy, the Senate Committee on Homeland Security and Governmental Affairs should develop a Senate committee questionnaire modeled on the SF-86.*

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In a scene from the television drama *The West Wing*, the President's Deputy Communications Director confronts a newly selected appointments secretary.

"The Deputy Chief of Staff is going to give you a security briefing," the Deputy says, "and an ethics briefing. You have provisional clearance for right now, pending successful completion of the SF-86, and a GC-1 background check."

"What is it?" the secretary asks.

"It's a questionnaire," the aide explains, "extensive questions on your past...."

"No, I know the form," the secretary complains, "I've worked at the White House before. At my last job, the background check wasn't near as extensive...."

"You have a button on your phone," the Deputy interrupts, "A 'crash' button," he says, irritatedly.

"Huh?"

"A 'crash' button; which will bring the Secret Service in instantly and turn your office into a live microphone which will be broadcast all over the building. It's the button you press if someone is trying to take the Oval Office," he concludes.

As he turns to go, the Deputy summarizes the situation, "*This* isn't your last job."

In a nutshell, the show's writer captured the entire presidential appointments conundrum: nominees feel needlessly badgered by a process that seems irrational, while those using the process to make decisions have little to say about its conduct, except that they recognize the stakes. One might reasonably ask why the secretary should have to complete again something that cannot have changed much in so short a time. And how, one might easily respond, can any White House overrule the professional judgments of those charged with insuring the president's and the national security?

From reconciling partisan conflict to assuring global security to promoting global commerce, her peaceful transfer of power — and the appointment of a new administration that it entails — represents America's most significant democratic export. Yet, these transitions have not always gone smoothly, especially filing out the new administration. After undergoing yet another presidential transition, the complexity of this process will undoubtedly reemerge as a point of policy controversy. Since the Reagan administration, studies have regularly surfaced complaining about the process.[1] Invariably, they conclude that the process has become a mess. Invariably, they conclude that it discourages and demoralizes those needed most in government service [Light and Thomas 2001: 10], with dire consequences for successfully recruiting quality nominees.[2] Invariably, they conclude that the complexity of the inquiry process misses obvious vulnerabilities among nominees that lead eventually to embarrassing the newest president. And, probably predictably, invariably they have had little effect.[3]

This paper takes a new tack on this troubling and troubled process. It focuses on issues associated with the inquiry that nominees must face and highlights what seems like a common ground for reform. Taking that approach not only fills an information gap in an area that matters, it clarifies something about the root causes of the growing complexity and frustration with appointments, and it provides the first quantification of the burden that appointees must bear. Knowing about the structure of inquiry highlights ways in which the two central actors in this frustrating (sometimes childish) tussle, Congress and Presidency, can accomplish significant improvements without sacrificing any of their institutional advantages. Taken alone, for example, just two of the recommendations here would produce a 31% reduction of nominees' burdens without losing any useful information or modifying anyone's authority.

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[1] These reports have included special presidential commissions, private forums (most recently the Century Fund), professional organizations (like the National Academy of Public Administration in 1988) and policy think tanks (most recently the AEI-Brookings-Hoover Institution's Transition to Governing Project, Brookings 2002), as well as those conducted by congressional committees and, sometimes in conjunction with, executive Branch agencies [OGE 2001].

[2] A survey of former presidential appointees, released by the Brookings Institution's Presidential Appointee Initiative, concluded [Light and Thomas 2001: 10] those who have traversed the process "were so unhappy with the nomination and confirmation process that they called it embarrassing, and two-fifths said it was confusing....'" In a separate survey [Light and Thomas 2000: 18] of those who had not held presidential appointments (although almost half had been asked), these "neophytes" responded to the same question with 81% saying they thought filling out the forms would "not be difficult," suggesting that familiarity with the forms greatly altered *in the negative* the opinions of those who would brave the process.

[3] Since 1997, new administration teams have access to a number of useful resources on presidential appointments, including the resources and experience of the White House Transition Project which has now helped usher in two smooth transitions. In the Bush transition, WHTP analysis helped restructure the White House Personal Data Statement making a 30% reduction in the details nominees had to provide See Sullivan 2000 and Sullivan and Hora. In the Obama transition recently concluded, the new president's team also profited from the assistance of the permanent and experienced staff at the Center for American Progress. The presence of these groups does not diminish the basic problems which remain unchanged.

DETAILING THE APPOINTMENTS MESS

Repairs to the presidential appointments process have occupied the governing community for decades [Light 2007]. And why not? As Alexander Hamilton noted [*Federalist #72*], the appointment of a new administration occupies the core of how to achieve everything that a president wants and the core of everything on which the electorate has made its choice.[4] In a 2008 issue of *Public Administration Review,* three articles focused on the then yet to occur 2009 presidential transition and each underscored meeting the challenge of the appointments process as critical to a successful start [Kumar 2008; Wellford 2008; Johnson 2008a]. Nothing has really changed much for nominees in the ensuing years.

This personnel challenge derives from three related difficulties: the inexperience of new administrations, the ever-lengthening process, and the morass of inquiry. The first set of challenges have to do with the mismatch between the personnel task and what the new president might bring to bear on that task. The second reflects the inevitable constitutional struggle between the Congress and president to control the policy process. The third derives from the complex gauntlet of inquiry nominees consider overly adversarial and tedious. This section outlines the problems identified in each of these areas. The next section introduces a range of recommendations for addressing these challenges.

Inexperience with Personnel

New presidents and their staffs come to work, Richard Neustadt used to say, with three curses: arrogance, adrenalin, and naïveté. The last involves two separate blights: a lack of experience and a disjunction between the task at hand and the available instrument. No president-elect comes to office with useful experience in national personnel. No governor, for example, appoints anything like the breadth, depth, or range of a president's appointments. Ignoring the national security apparatus or its global defense establishment, no governor deals with the appointment of an international diplomatic corps nor those that would handle a breadth of issues surrounding international trade, the regulation of a massive national economy or monetary system, and so on down a list of other complex issues.

Governors, of course, do not stand alone lacking this kind of useful experience. No legislator, steeped in the dynamics of congressional accommodation and its requirements of intense specialization and narrow expertise, faces the breadth of the president's appointments. No former general (to consider President Eisenhower as a special case) has assumed a command in which he must replace simultaneously every line, support, and staff officer throughout the entire command. No corporation takes over another by emptying the entire management down to the production line and replacing it with a wholly new crowd. Hence, by relying on their past experience, in states or Congress or the military or business, no candidate can ever come to office ready to grasp, let alone lend leadership to, the presidential appointments process. President Eisenhower, clearly experienced in massive military organizations, struggled with appointments until he resolved several

[4] In an irony of history, Thomas Jefferson (1801), speaking from a practical point of view juxtaposed to Hamilton's theoretical one, also belabored the necessity of establishing a new president's distinct identity from that of a predecessor through the selection and appointment of an administration.

disputes (but not all) with an executive Order in year *five* of his administration (see Mackenzie 2001, chapter 1). Though a Senator, President Kennedy knew so little about appointments that he coupled presidential personnel and congressional relations into one special assistant's portfolio; a portfolio so immense that once in office and within thirty minutes of moving in, Larry O'Brien tried sloughing the personnel job from his title (see Lawrence O'Brien Oral History, LBJL). Though a seasoned politician, Senator, and Vice-President, President Nixon nearly sank his own personnel operation by naïvely authorizing a search for nominees that included polling every person in *Who's Who in America.* The resultant tidal wave nearly scuttled his White House operation. In 2000, while preparing for winning the election, George W. Bush's operation nearly succumbed to woefully low expectations on personnel, projecting their own gubernatorial experience onto their future, Washington one. For this reason, presidents must depend upon the talents of others they can recruit with prior governing experience and a special breadth of knowledge about the scope and scale of the executive branch.

Second, no president-elect possesses a completely useful instrumentality for addressing the demands of the personnel process. No president-elect's staff, however successful in fielding a national campaign, presents a useful mechanism for surmounting the difficulties of these appointment responsibilities. For that reason, alone, the president-elect must quickly learn to adapt that staff into something more useful and more complex: a staff attuned to governing realities [Kumar 2008]. In addition to this general mismatch, once in office, the White House Office of Presidential Personnel has a small staff relative to the job of locating, vetting, and supporting nominees.[5] While the Governor of the second largest State in the union (Texas) maintains a resume database on some 15,000 potential nominees, the president-elect's operation must process that many resumes *on the day following the election*. By inauguration day, a new White House staff may come into the building with nearly 350,000 resumes of potential nominees. And at any time, a White House personnel staff, one that on President Clinton's inauguration day numbered twenty-nine (20 volunteers and nine staff, down from 220 during the transition or roughly the size of Governor Bush's Austin staff), may have to maintain 400,000 resumes [Nash, WHIP].[6] What worked in maintaining the operation of a governor or a Senator or a Representative likely will snap under the pressure of such scale.[7]

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[5] While Presidential Personnel locates and considers potential nominees, the White House Counsel's Office has lead responsibility for vetting "appointees."

[6] These numbers derive from interviews with former staffs of the George H. W. Bush and William Clinton administrations, especially Robert Nash. The size of the personnel office derives from National Journal Group's, *The Capital Source* (spring, 1993) and from organization charts developed and available through the White House Transition Project: http:\\whitehousetransitionproject.org.

[7] Faced with these tasks, the Personnel operation turns to interns and former campaign workers and other volunteers to find the assistance they need. As often happens in dealing with personnel, one solution simply compounds the problem in some other way. Nominees regularly complain about the youth and inexperience of their contacts in the personnel operation. One Clinton appointee complained he had reached a point when he simply refused to deal with "one more teenager" [Maranto 2005].

Lengthening Appointments Process

Complaints about the lengthy appointments process highlight the second challenge. As a useful measure of length, consider the time it takes from the President's inauguration to completion of each of the administration's policy government nominations. Taking the average of those lengths, one would have a comparative measure of how long it takes to get the government up and running [MacKenzie 1990, 2002]. Unlike typical research measures on appointments (employed in studies noted below), this measure takes in more than just the time the Senate uses to consider a nomination and act on it. Instead, this measure approximates something akin to the entire appointments process from initial identification of a candidate, through intent to nominate, through executive branch vetting, to nomination and confirmation. In effect, it encompasses two processes, an executive nomination and a Senate consent, which make up the whole of the appointments process. The Kennedy score on this measure equals 2.4 months while the Clinton administration number stands at 8.5 months or three times longer, even though both presidents faced a Senate majority of their own party [Mackenzie 1990, 2002:137].

This pattern then constitutes a serious lengthening of the appointments process. Some of that increase reflects growth in the number of policy-making positions [Light 1995]. Some disagree over the source of this growth and whether it results from "thickening" [Light 1995; Lewis 2008] or whether it reflects a complex bureaucratic response to professional pressures [Moranto 2005] or an increasing attempt to increase the political span of control [Weko 1995]. Regardless of the explanation for the growth, historical growth has added layers of nominees to invite, vette, and advise on. As a reflection of this growth, Kennedy appointed 189 position in his first year (1961) while Clinton appointed 321 [Ragsdale:28-9].

Detailed analyses of the consent process places the blame for this lengthening on Senate politics. After studying confirmations from 1885 through 1996, Nolan McCarty and Rose Razaghian [1999], for example, concluded that "political conflict induced by divided government and polarization clearly leads to a more drawn out confirmation process." Others have echoed these conclusions (cf. Binder and Maltzman 2002): by employing available procedures to gain bargaining advantages, Senators have lengthened the process.

These studies of consent, however, miss one important point: increasing demands for appointments and its historical growth have meant more pressure on the White House Personnel Office, as well as more pressure on the Senate. Assuming that every position starts out with three or four candidates implies that a doubling of government positions yields an astronomical increase in preliminary vetting. In conjunction with the small staff, this growing purview means one clear and overlooked implication: Clay Johnson, who spent two and a half years as White House Personnel Director before moving to OMB, has estimated that on average the internal White House process sifting through nominees takes at least twice as long as the Senate consent process [Johnson 2008c]. Hence, the lengthening of the process takes place predominantly in the executive, rather than the congressional. This fact will play a special role in avoiding unnecessary inter-institutional conflict.

The Morass of Inquiry

In its last report (released in 1996), the Twentieth Century Fund's published the results of its Task Force on Presidential Appointments describing the process as a "maelstrom of complexity," containing "too many questions, too many forms, too many clearances." In the next presidential cycle, the Presidential Appointees Project at the Brookings Institution found that potential nominees regularly underestimated the problems they would face in filing their government forms [Light and Thomas 2000]. And then they found that facing the apparent complexity of that inquiry, nominees characterized it as "mean-spirited."

This section details that process using a unique database built to identify the range of questions to which nominees responded. In one of its programs, the White House Transition Project developed the first-ever comprehensive database on nominee inquiry. This database formed the foundation of a unique software project that allowed nominees to answer question once and then have the software parse that answer and distribute it across the myriad of questionnaires and forms the nominees had to file. In carrying out this software project, the White House Transition Project identified each of the questions asked on all the forms nominees might file along with all the details required to answer these questions. It then mapped the flow of similar information across questions, and this mapping allowed for measuring the degree of repetition the amount of adversarial relations, and the tedium nominees endured.

The Basics of Inquiry. Nominees face a number of entities to which they must report and a dazzling array of questions they must answer. Most nominees submit to at least four reviews, each represented by a separate packet of government forms.[8] The first packet, the White House Personal Data Statement (WHPDS) includes a questionnaire along with a number of release forms and a basic contact sheet. Primarily, the WHPDS questionnaire focuses on basic information and "political" liabilities. The second packet originates with the FBI. Called the "Standard Form 86" (SF-86), it includes three separate forms: a "standard questionnaire," a "supplemental" questionnaire, and an immigration addendum. This package, the one highlighted in the introduction, focuses on national security vulnerabilities and legal entanglements. The third package of forms, called the "Standard Form 278," comes from the Office of Government Ethics (USOGE). This form covers financial entanglements and potential conflicts of interest and also doubles as an annual disclosure report for all federal employees above the rank of GS-15.[9]

For most nominees for policy-making positions, a fourth package of questions comes from the Senate committee of jurisdiction. This package typically consists of two forms: a basic questionnaire covering the range of information from background to political conflicts to policy positions and a financial disclosure document of some sort (most often a net worth statement). Then, and based on the answers to the standard questionnaire and with the help of policy experts in the GAO, many committees will require answers to a second more tailored questionnaire. About one-third of all questions asked on the average

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[8] Actually, appointees must fill out several additional forms granting permissions for various background and IRS checks but these do not present a burden and no one considers them noxious.

[9] That classification would include all important presidential appointees and many in the senior executive branch and all of the Senior Executive Service. Below GS-15, federal employees report on a SF-450.

Senate committee's initial questionnaire and almost all of the subsequent questions asked on the follow-on questionnaire cover specific policy commitments that the committee wishes the nominee to consider.

A single example epitomizes the problems in inquiry and how to discern the level of repetition in an area of inquiry — the case of owning property. Since the beginning of the George W. Bush White House, the WHPDS no longer surveys property ownership. On its form, however, the FBI surveys properties currently held by the nominee, excluding personal residences. The FBI only focuses on what property the nominee holds in name, ignoring family holdings. And for each property, the nominee must produce a variety of information including its current worth. While it also has an interest in property, the USOGE changes the subject of investigation, projects that interest back in time, and changes the kind of information requested. While it requests information on those properties owned by the nominee, it also adds a requirement for information about properties in which the nominee has an "interest," it includes requirements about residences, and then the OGE also wants information on real estate assets currently held by any others in the family. In addition, and unlike the FBI, OGE wants information on property transactions covering the previous two years. And, for all of these properties, the OGE requires information on values but only to the extent that the nominee can place those values within one of 11 categories.

The typical Senate committee returns to the FBI standard of ownership (dropping the spouse and dependent children); it uses the FBI's timeframe (dropping previous transactions); and it asks the nominee to identify a specific value for each of the properties. The committee will ask these questions as part of a detailed financial disclosure (or net worth) statement delineating property as assets and liabilities.

In all, then, nominees need to muster information on real property designating three separate classes of ownership, sorting on at least two separate types of transactions, setting out two different time frames, and set across three separate approaches to reporting values. From the perspective of a disgruntled nominee, the inquiry process they face has two separate characteristics: its intrusiveness and its repetitiveness. These two notions characterize the dimensions of inquiry. Intrusiveness involves the "depth" of inquiry, the degree to which an inquiry does not seem of immediate relevance. These details required and the accompanying potential for errors quickly generates a sense of tedious inquiry carrying high stakes. Repetitiveness, on the other hand, involves the regularity with which nominees must alter and recap required information. For nominees, this repetition gives them the impression of the process as a senseless dance seemingly orchestrated merely for the sake of making them dance. This sense merely reinforces their sense of a deeply adversarial process.

Repetitiveness and Specialization Defined. To appreciate fully these difficulties, consider a distinction between four elements: "details," "inquiries," "questions," and "categories." Details constitute the lowest level of information a nominee must provide. For example, in listing their education background, nominees must supply the cities and states in which they attended high school. The state constitutes a single detail. The general request for records about high school constitutes an "inquiry," a clump of details built around a common fact. Typically, these inquiries come bundled together as a "question," typically

numbered on a form. For example, a single numbered question might ask for the details of a nominee's educational background: the institutions, their addresses, periods of attendance, graduation outcomes, and relevant dates. These questions themselves come bundled by categories, general areas of investigation.

Table 1 summarizes the distribution of these questions across nine categories which describe basic background information (e.g., education), potential liabilities (e.g., whether civil or criminal conflicts), and associations (e.g., prior policy-related activities) and so on.[10] The table also summarizes the number of details required of nominees in each category. On average, nominees provide around 2,800 details grouped in 295 questions themselves organized into nine categories.[11]

Table 1. Distribution of Details by Category, Question, & Repetition

Questions		Details by Repetition			Detail
Topic	N	Redundant	Repetitive	Unique	Totals
Personal & Family	112	60	12	40	473
Professional & Educational	15	0	11	4	373
Tax Information	10	0	5	5	101
Conflict of Interest	103	23	21	59	1302
Legal Associations	12	0	4	8	108
Criminal Misconduct	17	2	6	9	279
Miscellaneous	12	5	2	5	29
Civil Misconduct	12	0	4	8	153
Policy Commitments	2	0	0	2	2
Totals	295	90	65	140	2820

Source: Compiled by author from *NFO* Inquiry Database.

Table 1 distributes the questions in each category by the degree of repetition. Those questions that do not vary the detail required constitute "redundant" questions (for example nine forms have the same question requiring the nominee's Social Security number). Those questions which require restructuring details constitute "repetitive" questions (e.g., the different ways to ask about a nominee's breadth of real property ownership requiring morphed responses). And those questions that require distinctive details constitute "unique"

[10] "Miscellaneous" includes questions about specific activities which appear (and disappear) as particular political vulnerabilities arise. The series of questions called the "nanny questions" represents the current exemplar of the "miscellaneous" category.

[11] This average includes data from the three standard executive packages and the package from the median Senate Committee (Indian Affairs). Sometimes, an executive questionnaire bundles a series of questions under a single number, so tying the definition of a question to numbering does not fully capture the technical requirements for identifying a "question." The number reported here (295) "unbundles" these complex questions. The total number of bundled equals a smaller (though still consequential) 190.

questions (e.g., the typical Senate committee, and *no other agency* interestingly enough, requires a nominee to declare the sum of all "unpaid income taxes").[12]

Adversarial Load and Tedium. Comparing the relative proportions of redundant, repetitive, and unique questions in a category suggests something about the common complaints of nominees. Taking these proportions more seriously will produce approximations of the adversarial load and tedium that nominees experience. As suggested from Table 1, about half of the questions that nominees answer involve "recurring" questions (those designated as redundant and repetitive). Since redundant questions constitute two-thirds of these recurrent questions, the sense among nominees that the process requires them to tediously repeat their answers from one agency to the next appears valid. In fact, they often do. Thus, tedious specificity might constitute a reasonable target for reform.

In addition, as indicated in Table 1 almost half of all unique questions nominees face and 40% of the details that nominees must provide fall into one category: conflicts of interest. The additionally tedious inquiry these facts suggest highlights another potential target for reform.

The distinctions between redundancy, repetition, and uniqueness provide the means for specifying the "load" placed on nominees by inquiry. If nominees find the constant morphing of details a symbol of the adversarial relationship they experience, define their "adversarial load" as the ratio between the two recurrent types of details and the number of recurring questions, weighted for repetitiveness. Hence, this definition and its measure presume that the more repetitive details per question in a category, the more adversarial the nominee finds that category.

If nominees find tedious the number of details they provide answering the endless stream of unique and redundant questions, define "tedium" as equal to the sum of the ratios of details to questions from both the redundant and unique questions. Hence, this definition and its measure presume that the more unique the details they must provide in a category, the more tedious nominees finds that category. Table 2 also reports the distribution of these two loads across the nine categories. A summary statistic in the far right column summarizes the burden of the two on nominees. The median adversarial load on nominees equals 19.5 while the median tedium load equals 8.08. Three categories place especially high burdens on nominees: criminal misconduct, conflicts of interest, and professional and educational backgrounds.

Though it involves a reasonably small portion of the questions asked of nominees (5%), the burden placed on nominees by professional background questions derives primarily from the extraordinary detail (and its repetitiveness) required of each question in this category. In addition to creating the second highest adversarial load on nominees, this category also places the second highest tedium load on nominees. This category packs a punch in a small number of questions.

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[12] Note the degree of precision in these definitions of redundant, repetitive, and unique and the nature of details required by inquiries in questions makes identifying the nature of questions relatively easy to accomplish. Where tested, inter-coder reliability statistics hold extremely high values.

Table 2. Adversarial Burden and Tedium by Category

		Questions by Repetition			Loads		*Overall*
Topic	Questions	Redundant	Repetitive	Unique	Adversarial	Tedium	Burden
Personal & Family	112	114	112	247	8.74	8.08	16.81
Professional & Educational	15	0	317	56	28.82	14.00	42.82
Tax Information	10	0	85	16	17.00	3.20	20.20
Conflict of Interest	103	33	801	468	35.21	9.37	44.57
Legal Associations	12	0	88	20	22.00	2.50	24.50
Criminal Misconduct	17	8	168	103	26.08	15.44	41.50
Miscellaneous	12	5	12	12	5.60	3.40	9.00
Civil Misconduct	12	0	60	93	15.00	11.63	26.63
Policy Commitments	2	0	0	2	—	1.00	1.00
Totals or Medians[13]	295	160	1643	1017	19.50	8.08	24.50

Source: Compiled by author from *NFO* Inquiry Database.

Adversarial Load: $A_c \equiv \frac{N_{dc}}{Q_{dc}}\left(\frac{N_{dc}}{N_{dc}+N_{rc}}\right)+\frac{N_{rc}}{Q_{rc}}\left(\frac{N_{rc}}{N_{dc}+N_{rc}}\right)$, where Ndc, Nrc define the number of details in a category (c) for redundant (d) questions and repetitive (r) questions. Q** defines the number of questions in a category and repetition type.

Tedium Load: $T_c \equiv \frac{N_{dc}}{Q_{dc}} + \frac{N_{uc}}{Q_{uc}}$, where Nuc defines the number of details in a category for unique questions.

[13] For questions, the number represents totals. For loads and burdens, the numbers represent medians.

By comparison, approximately one-third of all questions, both recurring and specialized, focus on identifying conflicts of interest. As noted in Table 1, of the 2,800 details typically provided, 1,300 result from providing answers in this category. Around 65% of those details derive from repetitive questions, affording the sense that, in this area alone, inquiry focuses on flummoxing the nominee. Here, the repetitiveness of the inquiry process surely contributes to the sense of an adversarial process: it has the highest adversarial burden of all the categories. In addition, this category produces moderate levels of tedium. Nearly half (46%) of all questions that require reporting unique information come from this category, as well. For the most part, these questions come from the Office of Government Ethics form SF-278. Hence, conflicts of interest occupy a special place among the kinds of inquiry that nominees face: grossly repetitive, highly adversarial, grossly specialized, and reasonably tedious.

Criminal misconduct represents primarily the purview of the FBI, built around its SF-86. The details required here provide moderately high levels of load in both adversarial and tedium measures. However, like the professional and educational background category, this category accounts for a relatively small number of questions. As seems reasonable, the other category accounting for a large number of questions has moderately low adversarial and tedium loads. Personal and Family background details most of the identifying characteristics used in the vetting process. This category constitutes the only one in which a high proportion of redundant questions appear. Only about 15% of the questions cover repetitive details. This category then offers few opportunities for reform.

The remaining five categories produce relative low levels of adversarial burden and tedium. Two of the categories producing low levels of both loads involve special considerations: miscellaneous and policy commitments. Involving what has become a series of unexpected difficulties, almost anecdotal in regularity, the miscellaneous category requires almost as few details as it has questions. As indicated above, the policy commitments category involves questions exclusive to the typical Senate committee and its attempts to intervene in the policy process through confirmation.

Senate Specialization. As a loose indication of how they differ from the executive, the average Senate question repeats on only 14% of executive questionnaires. The principal culprits in this low rate of commonality involve the range of "commitment questions" unique to Senate committee questionnaires and their role in creating Senate policy leverage. Because of the separation of Senate jurisdictions each of these kinds of questions appears rarely across the Senate forms but almost never on an executive form. Moreover, the Senate's popular net worth statement (a competitor with the executive's SF-278) accounts for another huge hunk of dissimilarity with the executive's forms.

STRATEGIES FOR RESCUING NOMINEES

While often considered as a single thing, the appointments mess really covers two essentially different processes, then, one about locating and vetting nominees and one about approving appointees, the latter involving shared responsibilities for governing. While some improvements would ease the vetting of nominees, many of the possible changes in the

conduct of approving appointees present only political choices that afford one institution an advantage over another. This section considers proposals for fixing the appointments mess, highlighting in particular those reforms that do not invoke competitive institutional interests but which nevertheless make more manageable the burdens placed on nominees.

Side-stepping the Constitutional Tussle

No problem in the entire arc of presidential transition issues presents more difficult solutions than addressing the lengthening appointments process. Of course, its intransigence derives from the broader struggle over controlling the federal executive that has its roots in the constitutional delegations of shared responsibilities. In the constitutional system, control of government services falls to both the Congress and the Presidency. The President exerts influence over those services by applying a span of control spreading down and out into the executive branch [cf. Weko 1995]. The Congress exerts control over those same services by means of a complex of budgetary enticements and intrusive bargaining opportunities, some generated by the norms and procedures guiding Senate deliberations on appointments.

That the lengthening consent process (as a stand in for the whole appointments process) invokes these constitutional grants suggests the problem's intractability. While it increases the processing burdens on the Senate and generally consumes its work time, the thickening of government described earlier also expands the president's authority [Lewis 2008]. And while it makes uncertain the confirmation of even the most innocuous appointments, taking advantage of the Senate's procedures also furthers the influence of individual senators while they pursue their policy goals. Why shouldn't each institution have a considerable stake in their side of this equation? And why shouldn't they defend that stake not as an exercise in power but as an exercise in authority?[14] Neither side can adjust the process unilaterally without tipping that balance away from their side. And why should either side see a common ground on which to compromise when each has so much at stake?

One potential point of reform derives from the earlier discussion of lengthening process. As those with access to the best data on the internal executive vetting process have pointed out [i.e., Johnson 2008c], the congressional side of the appointments equation (that part that grabs the headlines) occupies but one-third of the total time in the process. This fact creates an opportunity for reform: without ever addressing directly the questions of presidential span of control or the Senate's arcana, addressing the problems of experience and inquiry will make progress on the lengthening confirmation process, as well. Simply bolstering personnel capacity and making improvements in inquiry simultaneously side-steps and improves on this aspect of the situation. The next two sections focus on these more "indirect" approaches.

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[14] Some organizations, especially funded by business but also those favoring the civil service, have taken on this issue through the backdoor, trying to commit presidential candidates to performance standards (like PART) knowing that the agencies with the highest scores have fewer appointees [see Lewis 2008, chapter 7]. The scores derive from judgments about agency performance made by career officers in the OMB.

Managing Inexperience and Scale

No problem in the entire arc of presidential transition issues has an easier solution than addressing the lack of experience in personnel matters and the need for an effective presidential instrumentality. Both of these problems essentially reflect the balance between the supply and demands generated by the monumental scale of the presidential appointments process. Since the bulk of the appointments problem occurs with the accession of a new administration, effectively addressing these problems involve creating sufficient time for, and matching resources to, its challenges.

Five recommendations would improve things greatly. The first four recommendations focus on assisting with the scale of personnel. They essentially create more "time" early on for learning and then they provide access to capital intensive systems for easing into the immense burdens of personnel found in the transition and early periods of governing. Presumably, learning will reduce naïveté and speed up the personnel process.

> Recommendation 9. Extend the Lead Time on Personnel. *The Congress should amend the Presidential Transition Act of 2001 to include earlier preparations for personnel issues.*

In a move to improve readiness among the president-elect's team, the Congress has authorized briefing sessions for senior administration designees (cabinet and White House) after the election. In addition, the 2004 Intelligence Reform and Terrorist Prevention Act also authorized early and extensive screening of campaign personnel in order to assure the completion of extensive background checks, based on the SF-86. These briefing sessions identify key issues before the new administration and these designations identify key actors needed early on as a way to speed its uptake and distribution of important responsibilities.

Recognizing that a new administration's staffing challenges present a much broader threat than its policy matters, the government ought to set aside briefing time for these personnel problems as well. Much of the scale problem facing what will become a new White House begins well before the transition and, hence, well outside of the normal structure of governing. To make them effective, therefore, these personnel briefings ought to occur at least five months prior to the election.

> Recommendation 10. Strengthen Detailed Knowledge of Personnel Requirements. *The Office of Personnel Management and the Senate Committee on Homeland Security and Governmental Affairs should take steps to assure earlier publication of their Plum Book.*

Clearly, identifying key positions in the massive executive approaches requires a growing catalog of information. The earlier a campaign can obtain that catalog, the earlier it can begin outlining its needs and reducing thereby its inexperience [Pfiffner: 164]. Yet, typically, the government waits until election-day to release the most current details on personnel requirements, thereby condemning the new administration's planners to using a catch-up strategy unlikely to work. Instructively, the Bill Clinton campaign waited for the 1992 Plum Book and then had to invest most of its transition time fighting its way clear on personnel.[15] In order to avoid this problem and in direct response to government's failure

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[15] Most analyses of the Clinton transition emphasize the extraordinary amount of time spent on identifying cabinet and sub-cabinet appointees. See, for example, Kumar, *et. al.*

to properly provide this information, national campaigns have recently preferred to simply rely on the descriptions provided on election-day four years earlier. Rather than wait and get hopelessly behind the curve, for example, the George W. Bush campaign pursued this strategy in 2000, beginning their early planning with four-year-old information. As documented in Sullivan 2004, their dedication to this kind of early planning resulted in a number of record-setting performances by the Bush transition, despite its decidedly uncertain start.

The next two recommendations focus on providing the national campaigns with the technology necessary to apply to the anticipated scale they will face upon election.

> Recommendation 11. Underwrite Technology Solutions in the National Campaigns. *The Congress should amend the Presidential Transition Act of 2001 to authorize funds to promote early preparations among national campaigns for personnel operations.*

> Recommendation 12. Authorize Access in the National Campaigns. *The Congress should amend the Presidential Transition Act of 2001 to authorize efforts to facilitate some access to the personnel system (e.g., giving them the software) for those in transition planning during the major national campaigns and during the president-elect's transition period.*

To match scale and improve professional use of information management techniques, the national campaigns should have early access to the same software and computerized personnel system as that used in the White House. In the 2009 transition, the Bush White House took steps to secure funds for purchasing additional licenses for new human resources software it planned for introduction in late 2008. These additional licenses it provided the new Obama transition team.[16] This sort of approach needs a permanent footing and authorization rather than relying on a fortuitous vision. Providing this capacity before the election would also allow for the collection and processing of potential applicant contacts well before the onslaught of outsider applications. These operations would provide for early acquisition of information about the active campaign staff, thereby speeding the accommodation of applications from within the winning campaign. That the government would appropriate money to cover these costs for eligible candidates would constitute an investment in a smooth hand-off of governing well worth achieving.

> Recommendation 13. Create a Professional Staff to Undergird Personnel Operations. *The Congress should authorize a permanent expansion of the White House personnel operation. This new authority should create a permanent staff of professionals, overseen and supplemented by presidential appointees.*

Finally, in addition to early planning and the early accession of capital to improve, the presidential personnel system needs a permanent infusion of professional staff, managed by presidential appointees. Such an increase would reduce the transition shock of moving from a relatively large personnel staff during the transition period to a tiny and overwhelmed staff after inauguration. The Office of Management and Budget presents a perfect example of the marriage of presidential responsibilities and professional expertise and like OMB, personnel needs that kind of mix of the two staffing types.

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[16] Communications between the George W. Bush White House and the author.

Attacking Adversarial Burdens and Tediousness

Ameliorating inquiry does not have so simple a solution as pushing back time. It has solutions though. And while these solutions attack directly the morass of inquiry, they would also reduce the vetting time on the executive side and thereby reduce the time to confirmation and filling out of the executive. In effect, fixing inquiry will address several problems at once.

While significant reductions in intrusiveness require decisions by institutions understandably reluctant to forego their responsibilities or abdicate their leverage over appointments, by contrast, relieving the burden of unnecessary repetitiveness requires giving up little in the way of control. Hence, it seems more reasonable to expect that practical reform rests on bypassing intrusiveness and taking one of four approaches: reducing the details required, reducing the degree of repetitiveness, exercising the strategic imperative of a single institution, or developing a common form. This section explores each of the first three strategies and suggests a 30% improvement in inquiry. The next section takes up the question of a common form as a separate issue.

Bypassing Intrusiveness. Attacking intrusiveness poses an interesting challenge to reform. As indicated earlier in Table 1, about half the repetitive detail required of nominees comes from discovery of conflicts of interest, typically the purview of the USOGE. In addition, of the unique questions, those having no counterpart elsewhere, a bit more than one-third fall within the Personal and Family Background topic, establishing a host of background characteristics presumably necessary to trace out an individual's identity, including basic descriptors like "height" and "hair color" and "spouse citizenship." Most originate with the FBI. Therefore, targeting reform at intrusiveness, and its incumbent tediousness, collides with the fact that these questions (generated by either the FBI or the USOGE) have substantial institutional justifications. Both the FBI and OGE can claim expertise about the nature of these investigative processes to justify requiring answers to these questions. Hence, eliminating questions other than a few in this area pose just the kind of clash illustrated in the introduction involving inconvenience *versus* the superiority of expertise reinforced by stakes — *this isn't your old job* will always trump concerns about tediousness.

Reform does offer one possibility, however, in attacking tediousness. To reduce the number of questions nominees must answer, the federal government could transfer basic background information on a nominee prior to the FBI conducting its background investigation. The administration would request a name search on the nominee from the government's files and then transfer the results to the appropriate forms electronically. The administration could then return these forms, partially completed, to the nominee to check, amend, and to complete. That form completed, the background check would begin in earnest. In addition to effectively reducing the burden on nominees, taking this approach would reduce the amount of time the FBI spends retracing earlier investigations. In a variant on this approach, eligibility for this treatment could depend on prior service within a specified time period.

Attacking Adversarial Repetitiveness. Reducing repetition through attacking it directly provides the single most effective way to improve things for nominees. Without reducing the number of issues covered, inquiry could better accommodate nominees by simply

reducing repetitiveness and transforming these similar questions on some forms into identical questions on all forms. The real property questions represent the perfect example of this change. To adopt a single approach to these questions, using even the most complicated of the questions on each topic, would reduce the number of details provided as morphed versions of some earlier answer. And the more complicated the nominee's finances, the more effective this change. Effectively, this approach substitutes increased tedium through redundancy for reduced adversarial relations. This transformation would seem a worthwhile trade-off.

> Recommendation 14. Improve Redundancy in Inquiry. *The Congress should require the executive to develop a plan for improving redundancy in executive branch forms by taking the most general information required by any agency and requiring that level of information for all.*

Table 3. Results of Reducing Repetitiveness (Increasing Redundancy)

	Details after Reforms			Totals and Improvement		
	(1)	(2)	(3)	(4)	(5)	
Type	Redundant	Repetitive	Unique	Reformed	Previous	λ
Personal & Family	114	48	247	409	473	13.5%
Professional & Educational	0	151	56	207	373	44.5%
Tax Information	0	37	16	53	101	47.5%
Conflict of Interest	33	381	468	882	1302	32.3%
Legal Associations	0	44	20	64	108	40.7%
Criminal Misconduct	8	84	103	195	279	30.1%
Miscellaneous	5	6	12	23	29	20.7%
Civil Misconduct	0	30	93	123	151	19.6%
Policy Commitments	0	0	2	2	2	0.0%
Totals or Averages[17]	160	781	1017	1958	2820	30.6%

Source: Compiled by author from *NFO* Inquiry Database.

Table 3 reports estimates on taking this approach. It repeats the data from Table 2 for redundant and unique questions and the total burden by topic (columns 1, 3, 5). It then reviews the impact of changing repetitive questions into redundant questions (column 2) and how such a change would affect a new total for detail (column 4). The final column reports an improvement measure (a Goodman-Kruskal Lambda). As indicated, reform would make a substantial improvement with an overall reduction of 31% of the burden on nominees (from 2,820 to 1,958 details).

This kind of reform would have the largest effect on the conflict of interest category where reformulation to the broadest available information would generate an almost 70% reduction in nominee burden. Three other areas present significant (though not as dramatic) opportunities for removing repetitiveness and transforming it into redundancy. On Professional and Educational background, identified earlier as a particular problem area,

[17] Except for column for λ-statistic, all other cells contain totals for that column.

this strategy would improve inquiry by nearly 45%. Another area, Legal Associations, presents an unexpected case of improvement. Holding adversarial burdens above the median and tedium burdens well below the median, this category can produce dramatic improvements, around 40%. Reformulation would reduce the repetitiveness in the topic from 108 details to 64. Criminal Misconduct, another category with serious adversarial and tedium loads, would also benefit by nearly a third from this reform approach. Changes in the other categories would, of course, not net such dramatic improvements, but almost all categories would show improvements above 10%.

A Special Approach to Senate Forms. Since the typical Senate questionnaire has little in common with the typical executive form, improving redundancy offers little in the way of a strategy. Conflict of interest, however, invokes the largest percentage of unique questions partly because Senate committees do not rely on the SF-278. Instead, all but two Senate committees use their own net worth statement, a series of calculations and associated descriptive attachments that identify types and values of assets, liabilities, and the resulting sums.

> Recommendation 15. Eliminate the Net Worth Statement in the Senate. *The Senate committees should agree to eliminate the use of Net Worth Statements in favor of requiring nominees to submit their SF-278 reports.*

Substituting the SF-278 for the twenty-seven questions associated with the typical Senate net worth statement transforms specialization in this category into redundancy and that would reduce tedium in this category without undermining its objective.[18] Currently, however, the average Senate net worth statement carries the only extant inquiries about tax payments and the WHPDS would have to add this inquiry. For obvious reasons, the WHPDS represents the only executive form which concerns itself with taxes.

The executive strictly controls access to the FBI form and, for that reason; the Senate must develop its own information. Instead of pursuing separate sources of information, the Senate could simply require the nominee to re-answer the FBI questions on a separate Senate form duplicating the FBI form with a changed name. This approach represents the easiest way to bridge the "constitutional gap."

> Recommendation 16. Build a Model Senate Questionnaire. *To sponsor redundancy, the Senate Committee on Homeland Security and Governmental Affairs should develop a Senate committee questionnaire modeled on the SF-86.*

As a strategy for accomplishing this goal, redundancy without compromising separation, the Committee on Governmental Affairs could easily prepare a "model questionnaire." Providing such a model would fall entirely within that committee's jurisdiction and certainly call on their unique expertise. Nominees, faced with the choice of filing a different

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[18] Eliminating a net worth statement, however, would mean that the Senate could not easily identify those individuals who have over-extended themselves financially, creating massive debt say, but who had managed to keep current their payments on these debts. Such an "insolvency strategy," i. e., merely *maintaining* debt, would not appear on the typical executive financial disclosure statement. In addition, potential insolvency does not suggest a direct conflict of interest (an OGE issue) but a vulnerability (an FBI issue).

form, morphing their questions to fit independent Senate questions on the same topics or simply copying over their SF-86 onto an identical Senate form would sure choose the latter route. The executive and FBI would still maintain control of their executive information and nominees would not suffer from the internecine tussle.

Unilateral Action. Another reform strategy suggests that one of the four actors involved in questioning nominees could unilaterally surrender control over information, thereby guaranteeing a significant reduction in inquiry. That institution could rely, then, on the information gathered by the others.

This approach poses one fundamental problem. The White House represents the agent best situated to carry out this strategy. Most of the inquiry found on the White House Personal Data Statement, however, provides information on political liabilities that no other form produces (like taxes). It realizes the role of the White House as a political part of the executive branch, a role not feasible for either the FBI or USOGE. So, while the White House has the best opportunity to take this reform approach, the administration would lose some very valuable information that only it can assess in the period before issuing an "intent to nominate."

The Inappropriate Pursuit of a Common Form

A second popular approach to reform recommends creating a common bank of information that both the Senate and executive would access. Certainly a common form seems technologically feasible. Agreeing on the contents of such a single form and having it serve all of the needs of government, recall that both the SF86 and SF278 serve double duties as forms for the use of others in government. A single form for nominees would not necessarily serve this additional function for the rest of government. Moreover, a single form calls forth the kinds of inter-institutional conflicts at the heart of the appointments process, and for good reasons, but more importantly, *by design.* Hence, the research reported here takes a different tact as to why a common form seems infeasible: each of the institutions involved in this process have legitimate responsibilities and their different responsibilities generate divergent requirements.

WORKING REASON

Of course, no one has ever proved that the excessively adversarial and tedious system of inquiry has made filling the executive impossible. There seems a plethora of willing candidates and only a few of those turn out ill-chosen. The costs of creating a proper study to reach the conclusion that the process has weakened governance would extent beyond the financial willingness of private philanthropy given its level of interest in governance issues. No one need doubt, however, that many have chosen not to serve (ask any former Director of Presidential Personnel), that the adversarial nature of executive service contributes to that unwillingness, and that these adversarial burdens, therefore, increase the costs associated with locating competent, irreplaceable candidates.

Reason serves ends. Regardless of one's assessment of the necessity for intrusiveness and the necessity for checks and balances, no one can justify the burdensome repetitiveness

the system places on those willing to serve nor the adversarial relationship it bolsters. For this reason, side-stepping direct systemic reform *per se* and relying on modification and increased redundancy appears a reasonable and reasoned approach to take. The research discussed here provides two significant reform strategies (and some minor tweaks) that aide the process and reduce the burden on nominees without either reform affecting the balance between constitutional forces. Affording a "new" administration more time in its initial process (increasing its useful "experience" before it takes office) and giving it better tools to accomplish a fast start on personnel will reverse the lengthening appointments process. And improving redundancy constitutes a real improvement, providing a 31% reduction in the number of details nominees must provide. And while these changes will not make the process painless or necessarily "rational" from the perspective of the beleaguered nominee, they can strike a new and useful balance between the nominee's plight and the government's legitimate needs.

APPENDIX: EXAMPLES OF INQUIRY

This appendix illustrates each of the categories found in Table 1 through Table 3.

Category	Form	Question
Personal & Family	WHPDS	Social Security Number:
Professional & Educational	SF 86	List the schools you have attended, beyond Junior High School, beginning with the most recent (#1) and working back 7 years. List College or University degrees and the dates they were received. If all of your education occurred more than 7 years ago, list your most recent education beyond high school, no matter when that education occurred. 1. High School 2. College/university/military college 3. Vocational/technical/trade school For schools you attended in the past 3 years, list a person who knew you at school (an instructor, student, etc.). Do not list people for education completely outside this 3-year period. For correspondence schools and extension classes, provide the address where the records are maintained
Tax Information	WHPDS	In the last seven years, have you, your spouse, or a member of your immediate family ever failed to file an income tax return? If so, please explain and describe the resolution of the matter.
Conflict of Interest	Committee	As far as can be foreseen, state whether you have any plans after completing government service to resume employment, affiliation or practice with your current or any previous employer, business firm, association or organization.
Legal Associations	Committee	Please list each membership you have had during the past ten years or currently hold with any civic, social, charitable, educational, political, professional, fraternal, benevolent or religious organization, private club, or other membership organization. Include dates of membership and any positions you have held with any organization.
Criminal Misconduct	SF86	Since the age of 18, have you been involved in the illegal purchase, manufacturer, trafficking, production, transfer, shipping, receiving, or sale of any narcotics, depressant, stimulant, hallucinogenic, or cannabis for you own intended profit or that of another?

Category	Form	Question
Miscellaneous	WHPDS	Is there any other information, including information about other members of your family that could be considered a possible source of embarrassment to you, your family, or the President?
Civil Misconduct	SF86	Have you or your spouse or any businesses over which you or your spouse have exercised control ever failed to pay any loan or similar obligation when due at final maturity, or have you ever been more than 180 days delinquent on any such loan or obligation?
Policy Commitments	Committee	Do you agree to provide such information as is requested by such [a duly authorized Congressional] committee?

REFERENCES

American Enterprise Institute, Transition to Governing Project. 2000. *The Lengthening Appointment Process and Proposals for Reform*. Washington: American Enterprise Institute.

Binder, Sarah and Forrest Maltzman. 2002. "Senatorial Delay in Confirming Federal Judges, 1947-1998," *American Journal of Political Science*, 46, 1(January):190-9.

Brookings Institution, Presidential Appointee Initiative. 2002. *To Form a Government — A Bipartisan Plan to Improve the Presidential Appointments Process.* Washington: Brookings Institution Press.

Jefferson, Thomas. 1801. "Letter to Nathaniel Macon," in *The Writings of Thomas Jefferson*, volume 10, edited by Andrew A. Lipscomb, Washington: Thomas Jefferson Memorial Association, 1903 – 1904.

Johnson, Clay. 2008a. "Recommendations for an Effective 2008 Transition," *Public Administration Review*, 68, 3(July/August):624-6.

Johnson, Clay. 2008b. Testimony before the House Subcommittee on Government Management, Organization, and Procurement, September 24, 2008.

Johnson, Clay. 2008c. "Keynote Address to Conference on Presidential Transitions and Congressional Relations," Center for Congressional and Presidential Studies — American University and The Center for American Progress Action Fund. Washington, D. C. October 15, 2008.

Kumar, Martha. 2008. "Getting Ready for Day One: Taking Advantage of the Opportunities and Minimizing the Hazards of a Presidential Transition," *Public Administration Review*, 68, 3(July/August):603-17.

Kumar, Martha J., George C. Edwards, III, James Pfiffner, and Terry Sullivan. 2000. "Meeting the Freight Train Head On – Planning for the Presidential Transition," *Presidential Studies Quarterly*, 30, 4(December):754-69.

Lewis, David E. 2008. *The Politics of Presidential Appointments: Political Control and Bureaucratic Performance.* Princeton: Princeton University Press.

Light, Paul C. 1995. *Thickening Government: Federal Hierarchy and the Diffusion of Accountability.* Washington: Brookings Institution.

Light, Paul C. 2007. "Recommendations Forestalled or Forgotten? The National Commission on the Public Service and Presidential Appointments," *Public Administration Review*, 67, 3(May/June):408-17.

Light, Paul C. and Virginia Thomas. 2000. *Posts of Honor: How America's Corporate and Civic Leaders View Presidential Appointments*. Washington: Brookings Institution.

Light, Paul C. and Virginia Thomas. 2001. *The Merit and Reputation of an Administration: Presidential Appointees on the Appointments Process*. Washington: Brookings Institution.

Maranto, Robert. 2005. *Beyond A Government of Strangers: How Career executives and Political Appointees Can Turn Conflict to Cooperation*. Lanham: Lexington Books.

McCarty, Nolan and Rose Razaghian, 1999, "Advice and Consent: Senate Responses to executive Branch Nominations, 1885-1996," *American Journal of Political Science*, 43, 4(October):1122-43.

Mackenzie, G. Calvin. 1990. "Finding Mr. (or Ms.) Right," *Government executive* 22, 4(April):30-35.

MacKenzie, G. Calvin. 2001. *Innocent Until Nominated: the Breakdown of the Presidential Appointments Process*, Washington: The Brookings Institution.

MacKenzie, G. Calvin. 2002. *Scandal Proof: Do Ethics Laws Make Government Ethical?* with Michael Hafken. Washington: Brookings Institution Press.

Nash, Robert. White House Interview Program [WHIP] interview with Martha Kumar and Terry Sullivan, September 1, 2000, at White House.

National Academy of Public Administration. 1988. *The Presidential Appointee's Handbook*. Second Edition. Washington: National Academy of Public Administration.

Pfiffner, James P. *The Strategic Presidency: Hitting the Ground Running.* Chicago: Dorsey Press.

Ragsdale, Lyn. 1998. *Vital Statistics on the Presidency: Washington to Clinton* Washington: Congressional Quarterly Press.

Sullivan, Terry. 2000. *Changing the White House Personal Data Statement*. Reports from the White House 2001 Project, 9(December). Washington: The White House Transition Project.

Sullivan, Terry. 2004. *Nerve Center: Lessons on Governing from the White House Chiefs of Staff.* College Station: Texas A&M University Press.

Sullivan, Terry and Jennifer Hora. 2001. *Refining the White House Personal Data Statement.* Reports from the White House 2001 Project, 14(March). Washington: The White House Transition Project.

Twentieth Century Fund. 1996. *Obstacle Course: The Report of the Twentieth Century Fund Task Force on the Presidential Appointment Process.* Washington: Twentieth Century Fund.

U. S. Government, executive Branch, President George H. W. Bush, President's Commission on the Federal Appointment Process. 1990. *The Report of the President's Commission on the Federal Appointment Process*. Washington, DC.

U. S. Government, executive Branch, President William J. Clinton, Office of Government Ethics. 2001. *Report on Improvements to the Financial Disclosure Process for Presidential Nominees.* Washington, D. C.

Wellford, Harrison. 2008, "Preparing to Be President on Day One," *Public Administration Review*, 68, 3(July/August):618-23.

Weko, Thomas J. 1995. *The Politicizing Presidency — The White House Personnel Office, 1948-1994.* Lawrence, Kansas: University of Kansas Press.

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He has served as an American Political Science Association Congressional Fellow, twice a Lilly Endowment National Teaching Fellow, the first Carl Albert Policy Fellow, a Glenn Campbell Fellow in National Affairs at the Hoover Institution of Stanford University, a Spencer and Teagle Foundations National Teaching Fellow, and the Edwards Chair in Democracy at the James A Baker III Institute. He is past President of the Presidency Research Group, a worldwide association of scholars focused on the American Presidency.

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