



THE WHITE HOUSE TRANSITION PROJECT  
1997-2021



Kinder Institute on  
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University of Missouri

*Smoothing the Peaceful Transfer of Democratic Power*

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Report 2021—31

# THE VICE PRESIDENCY AND OFFICE OF THE VICE PRESIDENT

Joel K. Goldstein, *Saint Louis University School of Law*

## WHO WE ARE & WHAT WE DO

**THE WHITE HOUSE TRANSITION PROJECT.** Begun in 1998, the White House Transition Project provides information about individual offices for staff coming into the White House to help streamline the process of transition from one administration to the next. A nonpartisan, nonprofit group, the WHTP brings together political science scholars who study the presidency and White House operations to write analytical pieces on relevant topics about presidential transitions, presidential appointments, and crisis management. Since its creation, it has participated in the 2001, 2005, 2009, 2013, 2017, and now the 2021. WHTP coordinates with government agencies and other non-profit groups, e.g., the US National Archives or the Partnership for Public Service. It also consults with foreign governments and organizations interested in improving governmental transitions, worldwide. See the project at <http://whitehousetransitionproject.org>. The White House Transition Project produces a number of materials, including:

- **White House Office Essays:** Based on interviews with key personnel who have borne these unique responsibilities, including former White House Chiefs of Staff; Staff Secretaries; Counsels; Press Secretaries, etc. , WHTP produces briefing books for each of the critical White House offices. These briefs compile the best practices suggested by those who have carried out the duties of these office. With the permission of the interviewees, interviews are available on the National Archives website page dedicated to this project:
- **White House Organization Charts.** The charts cover administrations from Ronald Reagan to Barack Obama and help new White House staff understand what to expect when they arrive and how their offices changed over time or stayed the same.
- **Transition Essays.** These reports cover a number of topics suggested by White House staff, including analyses of the patterns of presidential appointments and the Senate confirmation process, White House and presidential working routine, and the patterns of presidential travel and crisis management. It also maintains ongoing reports on the patterns of interactions with reporters and the press in general as well as White House staffing.
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### EXECUTIVE SUMMARY

The vice presidency has been transformed in recent decades into a highly significant component of the executive branch. Some central lessons regarding the vice presidency are:

1. Although the vice president retains the significant constitutional function as first in line of presidential succession (and the more formal role as president of the Senate), the principal role of the modern vice president is to contribute to the success of the administration of which he/she is a part.
2. Recent vice presidents have served as inner-circle presidential advisers and have undertaken significant operational roles at the president's direction.
3. The vice president's advising and operational roles extend to a wide range of significant matters involving domestic, international, security, and economic policy, legislation, administration, politics and personnel.
4. Recent vice presidents have been supported by a standard set of resources that facilitate performance of her/his advising and operational roles by affording access to the president, information, staff support, and enhance his/her prestige and value to others.
5. The activities and consequence of a vice president will depend upon establishing and maintaining a strong relationship with the president and other administration officials, the president's leadership style and receptivity to help from the vice president, and the skill and judgment of the vice president in discharging her/his advising and other assignments and commitment to administration objectives.
6. Vice-presidential scheduling must accommodate the varying demands on vice-presidential time while protecting the vice president's ability to respond to matters most requiring the attention of someone at his/her unique and high level of government.
7. Vice presidents are expected to support appropriately administration initiatives yet also add value by helping to ensure that presidents are fully advised, a role that includes the responsibility to give the president candid advice that may not always coincide with a president's own assessment. Most recent vice presidents have given contrarian advice in private sessions.

The vice presidency and the Office of the Vice President(OVP) have become integral parts of White House operations during the past 44 years, beginning with the administration of President Jimmy Carter and Vice President Walter F. Mondale. The office has changed dramatically since its creation in the 1780s, a development recounted elsewhere.<sup>1</sup> Some features of the current office emerged during Dwight D. Eisenhower’s presidency (1953-61) when the vice presidency moved from the legislative to the executive branch and its occupant began regularly to assume some of its contemporary governmental and political roles, albeit in a more modest way. The Carter-Mondale term (1977-81) transformed the office by making it a central, not peripheral, part of the presidency with necessary supporting resources. The institutional arrangements Carter and Mondale created during the 1976-77 transition have been followed, developed, and expanded as implemented by subsequent administrations. Although constitutional and statutory provisions contribute to the vastly elevated stature and importance of the vice presidency, that enhancement rests primarily on informal practices Carter and Mondale adopted as repeated by succeeding administrations. The opportunities and impact of any vice president depends on his/her relationship with the president, administration needs, and the vice president’s skill and commitment to pursuing administration objectives.<sup>2</sup>

### CONSTITUTIONAL ROLES

The Constitution gives the vice president two specific roles: serving as President of the Senate with a tie-breaking vote when the Senate is “equally divided”<sup>3</sup> and being first in line of presidential succession in case of the removal, death, resignation or inability of the President.<sup>4</sup> If the president dies, resigns or is removed, the vice president becomes president<sup>5</sup> but exercises only presidential powers and duties, not the office itself, during a presidential inability. The Constitution provides procedures to transfer such powers and duties to the vice president and for the president to resume them.<sup>6</sup>

These two constitutional powers and duties remain and they and related provisions help shape the vice presidency. As President of the Senate, the vice president has an attachment to the Senate and chamber privileges. As presidential successor, the vice president is the nation’s second officer. The vice president is insulated from removal during the four-year term shared with the

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<sup>1</sup> See Joel K. Goldstein, *The White House Vice Presidency: The Path to Significance, Mondale to Biden* (2016); Joel K. Goldstein, *The Modern American Vice Presidency: The Transformation of a Political Institution* (1982); Roy E. Brownell, II, “A Constitutional Chameleon: The Vice President’s Place Within the American System of Separation of Powers,” 24 *Kansas Journal of Law & Public Policy* 1(2014) and 294 (2015).

<sup>2</sup> For elaboration of these themes, see Goldstein, *White House Vice Presidency*.

<sup>3</sup> U.S. Constitution, art. I, §3, cl. 4. (“The Vice President of the United States shall be President of the Senate, but shall have no Vote, unless they be equally divided.”).

<sup>4</sup> U.S. Constitution, art. II, cl. 6. (“ In Case of the Removal of the President from Office, or of his Death, Resignation, or Inability to discharge the Powers and Duties of the said Office, the Same shall devolve on the Vice President, ...”).

<sup>5</sup> U.S. Constitution, amend XXV, §1 (“In case of the removal of the President from office or of his death or resignation, the Vice President shall become President.”)

<sup>6</sup> U.S. Constitution, amend. XXV. See generally John D. Feerick, *The Twenty-Fifth Amendment: Its Complete History and Applications* (3<sup>rd</sup> ed. 2014).

president<sup>7</sup> save by impeachment and removal for “treason, bribery or other high crimes and misdemeanors.”<sup>8</sup>

Neither the President of the Senate nor successor role account for the office’s contemporary significance. Vice presidents spend little time presiding over the Senate and rarely break ties.<sup>9</sup> They began functioning primarily in the executive branch during Richard M. Nixon’s terms (1953-61). From Nixon to Nelson A. Rockefeller (1974-77) vice presidents attended Cabinet, NSC, and White House legislative leadership meetings, undertook foreign travel, acted as an administration spokesperson, functioned as a party leader, and chaired executive branch commissions but rarely were central to White House decision-making or operations. The executivization of the vice presidency responded to changes in American government and politics that traced to the presidencies of Franklin D. Roosevelt (e.g., the rise of America’s international role and of national government and the increased power of the presidency) and of Harry S. Truman (e.g., the atomic age and Cold War).<sup>10</sup> Those circumstances made the qualifications and preparation of the person “one heartbeat away” more important, especially since Truman only learned of the Manhattan Project after succeeding FDR. During the Nixon-Rockefeller quarter century, the vice president’s successor role was the primary justification for the office and its executive branch activities.

Although nine of the 45 (20%) presidents first achieved the presidency through presidential death or resignation, more than 80% of vice presidents (39 of 48) have not become president through succession and only two<sup>11</sup> have acted as president due to a presidential inability under Section 3 of the Twenty-Fifth Amendment although on other occasions presidential powers and duties probably should have been transferred. The succession/inability contingent role mandates that the vice president be “prepared”<sup>12</sup> which includes being current on policy and familiar with the strengths and weaknesses of principal executive officers. The standby function does not, however, explain the significance of the contemporary office which largely developed after, and independent of, the most recent presidential succession in 1974.

## A PRESIDENTIAL ASSET

Instead of perceiving the vice presidency primarily as a presidential successor, President Carter, with Vice President Mondale’s encouragement, saw the office as “an asset to be used by

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<sup>7</sup> U.S. Constitution, art. II, §1 (“He shall hold his Office during the Term of four Years, and, together with the Vice President, chosen for the same Term,…”).

<sup>8</sup> U.S. Constitution, art. II, §4 (“The President, Vice President and all civil Officers of the United States, shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors.”).

<sup>9</sup> United States Senate, Occasion When Vice Presidents Have Voted to Break Tie Votes in the Senate <https://www.senate.gov/artandhistory/history/resources/pdf/VPTies.pdf> Since 1969, the last ten vice presidents have cast 35 tie-breaking votes with 13 of those by Vice President Pence. By contrast, Vice Presidents Biden and Quayle cast no tie-breaking votes in eight and four years respectively. Alben Barkley (1948-53) was the last vice president to spend significant time presiding over the Senate. Goldstein, *White House Vice Presidency*, 21-22.

<sup>10</sup> See Goldstein, *Modern American Vice Presidency*, 140-41.

<sup>11</sup> George H.W. Bush (1985) and Dick Cheney (2002, 2007) briefly served as acting president under Section 3 of the Twenty-Fifth Amendment when Presidents Ronald Reagan and George W. Bush underwent medical procedures under general anesthesia. See Goldstein, *White House Vice Presidency*, 258-59. Controversially, power was not transferred after the assassination attempt on President Reagan in March, 1981. See Goldstein, *White House Vice Presidency*, 250-54; Feerick, *Twenty-Fifth Amendment*, 190-96.

<sup>12</sup> Interview of Craig Fuller. May 12, 2004, George H.W. Bush Oral History Project, Miller Center, University of Virginia.48.

the President”<sup>13</sup> to contribute to his administration’s success. Carter and Mondale reconceived the office and brought it to the center of the West Wing. For the first time, the vice presidency and the OVP were “integrated into the Presidency itself.”<sup>14</sup>

Carter and Mondale determined that the vice presidency could best contribute to the success of the administration if the vice president served as an engaged, across-the-board, presidential adviser and trouble-shooter who undertook presidential assignments that required attention at the highest level of government. Carter and Mondale identified resources needed to support their vision, Carter provided those resources,<sup>15</sup> and they effectively implemented the new model. Subsequent presidents and vice presidents, from both political parties, adopted the basic vision with the accompanying resources, with some variations, thereby institutionalizing the new model I have called the “White House vice presidency.”<sup>16</sup> The vice presidency has become integrated into, and supports, the presidency.<sup>17</sup>

Institutionalization of the vice presidency does not, of course, guarantee a vice president great significance or success. A vice president’s ability to contribute consequentially depends on the president’s leadership style and receptivity to the vice president, including his/her willingness to involve the vice president significantly, and the vice president’s skill, judgment and commitment to advancing administration objectives. The vice presidency depends on the personal and political relationship between the two principals,<sup>18</sup> between the vice president and other senior members of the administration,<sup>19</sup> and between the presidential staff and OVP. The office will vary as different individuals populate the presidency, vice presidency and related positions, and as circumstances present different challenges. Each vice presidency is, accordingly, unique, and each has its ups and downs. Although recurring patterns characterize the modern vice presidency, ultimately the president’s preferences shape vice-presidential role. As Dan Quayle put it, his role as vice president “was always what the President wanted it to be. . . . It always stems from the President, whatever the President wants.”<sup>20</sup> Or, as Dick Cheney remarked “the ability of the Vice President to really contribute, to be active and effective, turns ultimately on what the President wants.”<sup>21</sup>

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<sup>13</sup> Interview of Richard Moe and Michael Berman, January 15-16, 1982, Carter Presidency Project, Miller Center, University of Virginia, 4 (Moe).

<sup>14</sup> Interview with Jimmy Carter, November 29, 1982, Carter Presidency Project, Miller Center, University of Virginia, 9.

<sup>15</sup> Goldstein, *White House Vice Presidency*, 53-65.

<sup>16</sup> Goldstein, *White House Vice Presidency*.

<sup>17</sup> See Martha Joynt Kumar, *White House Staff and Organization: Ten Observations* Report 2017-10, White House Transition Project, 3-4. [https://whitehousetransitionproject.org/wp-content/uploads/2017/09/WHHP2017-10\\_Ten\\_Observations\\_on\\_WH\\_Staff-9-6-2017.pdf](https://whitehousetransitionproject.org/wp-content/uploads/2017/09/WHHP2017-10_Ten_Observations_on_WH_Staff-9-6-2017.pdf); Terry Sullivan ed. *Former White House Chiefs of Staff Discuss Presidential Transitions*, Report 2017-60, White House Transition Project, 13 (Comments of Thomas F. “Mack” McLarty regarding integrating Gore and OVP into White House) [https://whitehousetransitionproject.org/wp-content/uploads/2016/03/2017\\_60\\_Conference\\_of\\_former\\_WH\\_Chiefs\\_of\\_Staff.pdf](https://whitehousetransitionproject.org/wp-content/uploads/2016/03/2017_60_Conference_of_former_WH_Chiefs_of_Staff.pdf)

<sup>18</sup> Interview with Edward Kaufman, WHHP, September 19, 2016, 7 (stating that the “personal chemistry” between the president and vice president as crucial to the relationship); Moe Interview, Miller Center, 76 (discussing importance of relationship).

<sup>19</sup> Berman Interview, Miller Center, 75 (discussing importance of relationship between vice president and White House staff).

<sup>20</sup> Interview of Vice President J. Danforth Quayle, March 12, 2002, George H.W. Bush Oral History Project, Miller Center, University of Virginia, 53.

<sup>21</sup> Richard B. Cheney et al, “The Vice President--More Than An Afterthought?,” 44 *Pepperdine Law Review* 535, 552(2017). See also Interview of the Vice President by Wolf Blitzer, Late Edition, January 11, 2009 <https://georgewbush-whitehouse.archives.gov/news/releases/2009/01/20090111.html>.

And yet presidents of both parties have recognized that an engaged and able vice president can contribute importantly to their administration's success and vice presidents have understood that the office provides unique opportunities for service, making its value independent of the boost it provides as a presidential springboard.<sup>22</sup> Presidents have appreciated having a loyal adviser schooled in democratic processes with similar interests and perspective and an operator who can perform presidential-level tasks to advance administration objectives.<sup>23</sup>

The advising and operational activities of recent vice presidents have followed certain patterns. Vice presidents beginning with Mondale have advised on the full-range of problems that have come before presidents, including domestic, economic, and international/national security policy, politics, and personnel. They have participated in diplomacy, through foreign travel and meetings with foreign emissaries in the United States; managed the administration's response to particular problems, often involving inter-departmental or inter-agency matters; performed occasional legislative outreach to advance administration measures; acted as political and party surrogates through campaign and fund-raising activities for the re-election of the presidential-vice-presidential ticket, co-partisan candidates, and national and state party organizations; functioned as administration spokespersons through public statements and meetings with various organizations.<sup>24</sup> The recurrence of these roles does not mean all vice presidencies follow the same template. They do not. Vice presidents may focus their advice in areas of expertise or importance and their operational activities may emphasize some areas over others.<sup>25</sup>

The demand for vice-presidential involvement in such diverse activities requires care in allocating vice-presidential time. Scheduling must accommodate several principles. First, vice-presidential time is a principal administration resource, not simply a vice-presidential asset. Second, advising and operational roles are important parts of the job. Third, advising and operational activities may conflict, especially since the former generally requires physical or virtual presence in the White House whereas the latter often takes the vice president off-site. Craig Fuller, Bush's second term vice-presidential chief of staff, thought Bush's heavy 1986 campaign schedule for Republican candidates caused him to miss important meetings regarding the Iranian arms for hostage discussions.<sup>26</sup> The coronavirus pandemic will limit vice presidential travel but will not eliminate the conflict between the need to be present in, and absent from, the White House. Fourth, advising and operational activities, though sometimes imposing conflicting choices, are inter-dependent. Operational activity provides a vice president information and insights to assist advising and presidential advising enhances vice-presidential credibility and stature that raise the vice-president's value as an operator.<sup>27</sup> Fifth, unanticipated situations may arise which might benefit from vice-presidential involvement or which may interest a vice president. Commitments risk preventing the vice president from participating in areas where her/his presence may be more needed. Biden's desire to allocate his time to the highest and best use for the president<sup>28</sup> meant retaining some freedom to move to situations that developed and accordingly argued against accepting ongoing portfolios.<sup>29</sup> Sixth, the proper allocation will vary depending on the

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<sup>22</sup> Goldstein, *White House Vice Presidency*, 266-80.

<sup>23</sup> Quayle Interview, Miller Center, 47.

<sup>24</sup> These roles from Mondale to Biden are discussed in Goldstein, *White House Vice Presidency*, 66-92, 105-72.

<sup>25</sup> Goldstein, *White House Vice Presidency*, 304.

<sup>26</sup> Fuller Interview, Miller Center, 54-55, 61.

<sup>27</sup> Goldstein, *White House Vice Presidency*, 303.

<sup>28</sup> Interview with Edward E. "Ted" Kaufman, Senate Oral History Interviews, Senate Historical Office, Washington, D.C., 174, 175.

<sup>29</sup> Kaufman Interview, WHTP, September 19, 2016, 9.

governmental and political calendar and other considerations. Finally, sufficient time must be reserved for reading, briefings, and other preparation as well as for family, rest, recreation and other personal activities.

Many recent administrations have combined outsider presidents with little or no national government experience (Carter, Reagan, Clinton, Bush 43, Obama, Trump) with insider vice presidents with extensive Washington experience (Mondale, Bush, Gore, Cheney, Biden, Pence). In those instances, the vice president often added value by supplementing presidential experience and strength. That combination is neither a necessary nor sufficient formula for vice-presidential success or consequence. Presidents always need good advice and effective high-level operational help so vice presidents who perform well add value even if they lack a distinctive background. And unless they are inattentive or incapable of learning, outsider presidents will acquire insider experience, thereby mitigating a vice president's initial advantage.

### VICE-PRESIDENTIAL ACTIVITIES

White House vice presidents occupy themselves in some mix of the following activities:

#### *Advising*

Vice presidents beginning with Mondale have regularly advised presidents on policy, personnel and politics. During the transition, vice presidents participate in selection of Cabinet and other principal figures in the administration<sup>30</sup> and setting priorities. Some vice presidents and their staffs have helped recruit administration personnel. After inauguration day, vice presidents have been included in formal and informal meetings with the president on the full-range of matters. Thus, for instance, they are included in key foreign policy/national security meetings in addition to formal NSC sessions;<sup>31</sup> Secretary of State Madeleine Albright described Gore as the “key member” of Clinton’s foreign policy team.<sup>32</sup> Bush joined Reagan’s three top aides in their morning meetings with the president and Quayle attended daily morning meetings Bush held with national security adviser Brent Scowcroft and with chief of staff John Sununu and his successions. Gore participated in Clinton’s press conference preparations.<sup>33</sup> Bush regarded Cheney primarily as a “counsellor.”<sup>34</sup> Presidential advising arrangements vary but vice presidents beginning with Mondale have often attended multiple meetings in a day with the president.<sup>35</sup>

Vice presidents have used different advising styles based on their relationship with the president and his staff, their style, and circumstances. For reasons discussed below, most have limited the advice provided in large meetings where attendance extends beyond the most senior

<sup>30</sup> Moe Interview, Miller Center, 31, 34; Quayle Interview, Miller Center, 25-26; Interview with Mack McLarty, WHTP, November 16, 1999, 4 (referring to Gore’s participation); Interview with Roy Neel, Nov. 14, 2002, William J. Clinton Presidential History Project, Miller Center, University of Virginia, 52, 54; Interview with Bruce Reed, WHTP, undated, 14-15; Interview with Josh Bolten, January 15-16, 2013, George W. Bush Oral History Project, Miller Center, University of Virginia 118-19 (describing Cheney’s role in Cabinet selection); Goldstein, *White House Vice Presidency*, 141 (on role of Biden, Ted Kaufman and Mark Gitenstein in Obama Cabinet formation).

<sup>31</sup> Interview with Brent Scowcroft, November 12-13, 1999, George H.W. Bush Oral History Project, Miller Center, University of Virginia<sup>33</sup>.

<sup>32</sup> Interview with Madeleine K. Albright, August 30, 2006, William J. Clinton Presidential History Project, Miller Center, University of Virginia, 28.

<sup>33</sup> Interview with Sylvia Matthews, October 28, 2004, William J. Clinton Presidential History Project, Miller Center, University of Virginia, 44-45.

<sup>34</sup> Bolten Interview, Miller Center, January 15-16, 2013, 128, 129.

<sup>35</sup> Goldstein, *White House Vice Presidency*, 67-68, 73 (on Mondale’s access); Peter Baker, *Days of Fire: Bush and Cheney in the White House* 6 (2013) (on Cheney’s access); Joe Biden, *Promise Me, Dad* 67 (2017).

officials. Mondale envisioned the vice presidency as uniquely-situated to ensure that a president received a broad range of advice<sup>36</sup> and most vice presidents have been willing to disagree with a president in private discussions. In larger meetings, George H.W. Bush often raised questions to make sure that Reagan and others had considered various policy implications.<sup>37</sup> Gore was very good at making sure that Clinton understood all implications of a decision and was committed to it.<sup>38</sup> Biden often interrogated Obama advisers in his presence to probe their advice.<sup>39</sup>

### *Diplomatic work*

Vice presidents have engaged in extensive diplomatic work. They have traveled abroad, received foreign emissaries in the United States, communicated with foreign officials remotely, and spoken publicly in the United States and abroad regarding international matters. Many vice-presidential missions have been highly significant including Mondale's 1979 trip to China and speech at the U.N. Refugees Conference; Bush's trip to Western Europe in 1981 and to Poland in 1987; Gore's intervention at the Kyoto Climate Change meeting in 1997; Cheney's trip to the Middle East in 2002 to discuss war against Iraq. Even ceremonial vice-presidential travel, to attend funerals or inaugurations, provide opportunities for vice presidents to meet and develop relationships with other world leaders in addition to the messages conveyed. Bush met three incoming leaders of the U.S.S.R. when he attended the predecessor's funeral<sup>40</sup> and Quayle demonstrated support for democracy in Latin America and developed relationships by attending inaugurations.<sup>41</sup> Gore co-chaired bilateral commissions which advanced diplomatic projects and allowed him to develop relationships with foreign leaders.

The vice president's stature positions him/her as a diplomat who can meet world leaders as an equal. Vice presidents who develop relations with foreign leaders and who are perceived to have easy access to and credibility with the president can perform a valuable diplomatic role. Bush, for instance, was "a reliable communicator" of Reagan's policies and "a very reliable reporter and confidant who shared information directly with the President."<sup>42</sup>

### *Legislative work*

Although they have not assumed responsibility for legislative liaison, many vice presidents have played significant legislative roles on key initiatives and nominations. Biden negotiated the principal budget deals with Republican congressional leaders. Vice presidents spend time on the Hill to be accessible to legislators to serve as a conduit for information flowing both ways up and down Pennsylvania Avenue.<sup>43</sup> Cheney, for instance, attended Senate Republican policy lunches to interact with co-partisans in the upper house.<sup>44</sup>

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<sup>36</sup> Walter F. Mondale, The Role of the Vice President in the Carter Administration, December 9, 1976, 2-3, Minnesota Historical Society, <http://www2.mnhs.org/library/fnd aids/00697/pdf/Mondale-CarterMemo.pdf>

<sup>37</sup> Fuller Interview, Miller Center, 13-14.

<sup>38</sup> Matthews Interview, Miller Center, 44-45.

<sup>39</sup> Goldstein, *White House Vice Presidency*, 142.

<sup>40</sup> Chase Untermeyer, "Looking Forward: George Bush as Vice President," in Timothy Walch, ed., *At the President's Side: The Vice Presidency in the Twentieth Century* 164 (1997). See also Untermeyer comments in Walch, ed. *At the President's Side*, 208-09.

<sup>41</sup> Quayle Interview, Miller Center, 59-60

<sup>42</sup> Fuller Interview, Miller Center, 49.

<sup>43</sup> Untermeyer, "Looking Forward," 163; Moe Interview, Miller Center, 46-47;

<sup>44</sup> Dick Cheney with Liz Cheney, *In My Time: A Personal and Political Memoir* 307 (2011).

### *Political work*

Vice presidents typically assume a heavy campaign burden during mid-term and presidential election years. They often speak at fundraisers and party functions.<sup>45</sup>

### *Administration Spokespersons*

Vice presidents serve as prominent administration spokespersons. They give speeches, appear on talk shows, and write commentary pieces. Gore engaged in a televised debate with Ross Perot on NAFTA that helped turn the tide in its favor. They have acted as a public and legislative salesperson for policies they opposed. Quayle, for instance, defended a tax hike in the 1990 budget package although he had opposed that action.<sup>46</sup>

### *Portfolios*

Some vice presidents have sought to avoid ongoing specific portfolios.<sup>47</sup> Such assignments risk making bureaucratic enemies by intruding on others' turf,<sup>48</sup> diverting vice-presidential time from more important pursuits,<sup>49</sup> and saddling the vice president with duties beyond OVP's administrative capacity. A vice president's responsibility for a program may affect his/her objectivity and undermine the perception that the vice president lacks a departmental bias. Mondale followed close to a per se rule against accepting ongoing portfolios.<sup>50</sup>

Vice presidents have assumed some important ongoing roles, especially that involve interdepartmental coordination. Thus, Mondale supervised an effort to prioritize and establish an agenda for Carter initiatives,<sup>51</sup> Bush was placed in charge of crisis management in the Reagan White House, Quayle chaired the Competitiveness Council which included various domestic Cabinet members and focused on policies designed to promote competitiveness and reduce federal regulations.<sup>52</sup> Consistent with the Mondale model, Gore initially decided to avoid operational responsibilities. He acceded to Clinton's request, however, that he co-chair with Russian Prime Minister Chernomyrdin, a bilateral commission with Russia that was designed to foster relations between the countries and implement decisions made. The model was copied as bilateral commissions were established with Egypt, South Africa, Ukraine, China, and Kazakhstan.<sup>53</sup> Gore functioned "almost ... as a prime minister."<sup>54</sup> Gore managed Clinton's Reinventing Government initiative which generated many other responsibilities as well as environmental and telecommunications policy. Biden sought generally to avoid ongoing portfolios to remain free to accept assignments that would reflect "the highest and best use" of his time.<sup>55</sup> The portfolios he assumed—disengagement from Iraq, implementing the Recovery Act—were highly important matters, involved multi-departmental matters in which the vice president performed a coordinating role, exploited his political and governmental skills and

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<sup>45</sup> Dan Quayle, "Standing Firm: Personal Reflections on being Vice President," in Timothy Walch, ed., *At the President's Side: The Vice Presidency in the Twentieth Century* 174 (1997).

<sup>46</sup> Quayle Interview, Miller Center, 39-41.

<sup>47</sup> Moe Interview, Miller Center 5.

<sup>48</sup> Moe Interview, Miller Center 5. See also Quayle Interview, Miller Center, 53 .

<sup>49</sup> Moe Interview, Miller Center, 5.

<sup>50</sup> Interview of Walter F. Mondale, Minnesota Historical Society, June 15, 2011.

<sup>51</sup> Interview of Moe and Berman, Miller Center, 26-27 (Moe) 27 (Berman), 38-40 (Moe)

<sup>52</sup> Quayle, "Standing Firm," 175.

<sup>53</sup> Interview with Leon Fuerth, July 7, 2008, William J. Clinton Presidential History Project, Miller Center, University of Virginia, 14.

<sup>54</sup> Albright Interview, Miller Center, 33.

<sup>55</sup> Kaufman Interview, Senate Oral History, 174.

relationships, and had sell-by dates.<sup>56</sup> More recently, Vice President Pence has chaired the Trump administration's coronavirus task force.

## VICE-PRESIDENTIAL RESOURCES

Generally speaking, the resources necessary to support the vice president as an adviser and operator are access to decision-making, information, and credibility. More specifically, the vice president needs 1) regular and frequent vice presidential access to the president in private and group meetings; 2) inclusion of OVP in White House and administration meetings; 3) inclusion of the OVP in distribution lists of presidential, White House and administration documents; 4) access of the vice president and OVP to necessary expertise and logistical support; 5) presidential support. In more detail, important resources facilitating the development and success of the White House vice presidency and contributing to the access, information and credibility include:

### *West Wing Office*

A main floor West Wing office for the vice president: Beginning with Mondale, vice presidents have worked primarily from a first floor West Wing office between the offices generally assigned the chief of staff and National Security Advisor with some adjacent staff space in addition to the primary space in the Eisenhower Executive Office Building and Senate. The West Wing office facilitates the vice president's involvement in White House meetings and symbolizes the vice president's centrality by its proximity to the Oval Office and other key advisers.<sup>57</sup> As Quayle put it, the vice presidency location symbolizes the transformation of the office from a ceremonial position to "an integral part of presidential operations" close to "the command center of the western world."<sup>58</sup> The location encourages informal interactions with neighbors and with others having business in the West Wing.<sup>59</sup> "[A]ny future vice president who loses the West Wing office is a fool because in Washington power is proximity,"<sup>60</sup> observed Quayle in 2002.

### *Access to the President*

A **weekly private luncheon** with the President, Oval Office **walk-in rights**, and the **right to attend meetings** on the President's schedule.<sup>61</sup> The vice president's regular access to the president, in individual and group sessions, allows the vice president opportunity to share information and advice with the president and to hear the information and advice coming from others. The vice president's presence at presidential meetings enhances the vice president's stature with domestic and international figures. The vice president is "in the room," and the general awareness of that access increases his/her value to domestic and international figures. That access raises the vice president's stature and allows the vice president to perform more consequential services for the president. Although different presidents have created diverse advisory meetings, vice presidents beginning with Mondale have been invited to meetings on the president's schedule and had a weekly private lunch.

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<sup>56</sup> Kaufman Interview, WHTP, Sept. 19, 2016, 9 (referring to "short term" nature).

<sup>57</sup> Berman Interview, Miller Center, 20-21.

<sup>58</sup> Address by Vice President Dan Quayle, September 19, 2000, Senate Leaders Lecture Series United States Senate. gov [https://www.senate.gov/artandhistory/history/common/generic/Leaders\\_Lecture\\_Series\\_Quayle.htm](https://www.senate.gov/artandhistory/history/common/generic/Leaders_Lecture_Series_Quayle.htm)

<sup>59</sup> Interview of Richard Moe and Michael Berman, Miller Center, 20-21 (Berman), 22 (Moe)

<sup>60</sup> Quayle Interview, Miller Center, 27.

<sup>61</sup> Kaufman Interview, WHTP, 6. Interview with Josh Bolten, Miller Center, January 15-16, 2013, 129 (describing Cheney's access);

The private lunch helps the vice president develop and maintain a relationship with the president. Privacy and the expectation of confidentiality encourage candor.<sup>62</sup> This opportunity may enable a vice president to refrain from expressing some advice in larger meetings to reduce the chance of leaks of disagreements between the two principals<sup>63</sup> and to promote a more robust exchange among other presidential advisers who might be inhibited from expressing views contrary to a vice-presidential statement. The lunches have provided opportunity for social interaction and for either principal to raise matters and exchange information and views.<sup>64</sup> Some vice presidents have solicited staff suggestions before the weekly lunch.<sup>65</sup>

The vice president's presidential access increases her/his value to others who may ask the vice president to use the lunch to transmit information or make an argument. Quayle concluded that most such requests came when an official had failed to convince the president, lacked access, or was reluctant to raise something with the president.<sup>66</sup>

Vice President Biden's arrangement with President Obama included the commitment that Biden would be the last person with the opportunity to change the president's mind regarding important issues but, failing to do so, he would support the president's decision.<sup>67</sup>

### *Access to Information*

The vice president's ability to participate effectively in White House deliberations depends upon his or her receipt of pertinent information in a timely manner.<sup>68</sup> The vice president now **receives the same briefings and paper as the president**.<sup>69</sup> OVP is typically included in the distribution of paper that goes to the Oval Office. A quarter century after beginning his vice presidency, Mondale described the information flow as follows: "Starting at that time, and continuing, I believe, today, the Vice President has access to all information the President receives, including the daily intelligence briefings."<sup>70</sup> Gore and Fuerth attended Clinton's regular morning intelligence briefings.<sup>71</sup> Vice President Cheney received his daily intelligence briefing at the Naval Observatory and then sat through the briefing a second time with President George W. Bush to be able to pose questions for the President's benefit or underscore certain material with the advantage of having previously received the briefing.<sup>72</sup>

### *Presidential Support*

The vice president's public standing and ability to help the president depends on the perception that the vice president is important to the president. Presidents communicate their

<sup>62</sup> Moe Interview, Miller Center 5; Fuller Interview, Miller Center, 49.

<sup>63</sup> See, e.g., Interview with Bertram M. Carp and David Rubenstein, Carter Presidency Project, Miller Center, March 6, 1982, 11(Carp, noting perils of publicized disagreement).

<sup>64</sup> Cheney et al, "The Vice President--More Than An Afterthought?," 545-46; Fuller Interview, Miller Center, 48-49.

<sup>65</sup> Fuller Interview, Miller Center, 48-49 (reporting on Bush practice); Interview with Elaine Kamarck, May 7-8, 2008, William J. Clinton Presidential History Project, Miller Center, University of Virginia,, 40 (reporting on Gore practice).

<sup>66</sup> Quayle Interview, Miller Center, 48.

<sup>67</sup> Joe Biden, *Promise Me, Dad: A Year of Hope, Hardship, and Purpose* 64 (2017); Kaufman Interview, WHTP, Sept. 19, 2016, 6-7; Kaufman Interview, Senate Oral History, 159,167. 173.

<sup>68</sup> Carp Interview, Miller Center,11.

<sup>69</sup> Moe Interview, Miller Center, 6; Kaufman Interview, WHTP, Sept. 19, 2016, 6.

<sup>70</sup> Address by Vice President Walter Mondale, September 4, 2002, Leaders Lecture Series, United States Senate.gov [https://www.senate.gov/artandhistory/history/common/generic/Leaders\\_Lecture\\_Series\\_Mondale.htm](https://www.senate.gov/artandhistory/history/common/generic/Leaders_Lecture_Series_Mondale.htm)

<sup>71</sup> Fuerth Interview, Miller Center, 12

<sup>72</sup> Cheney, *In My Time*, 314.

support for their vice president by their deeds and words, i.e. by showing they value the vice president and reinforcing that message through verbal expressions. Carter admonished his staff to treat Mondale's requests as if they came from Carter and warned them that undercutting Mondale would cost them their jobs.<sup>73</sup> Clinton communicated his "wishes were to have Vice President Gore as an integral part of the team, and to make that a meaningful, influential position"<sup>74</sup> and gave similar instructions to administration personnel during the initial Cabinet meeting.<sup>75</sup> Although it certainly helps if principal White House staffers are independently committed to that mission, the clear expressed wishes of the president will enhance the vice president's standing with administration insiders as well as other domestic and international figures and communities.<sup>76</sup> Conversely, any indication that the president does not value the vice president will minimize the vice president's status with others and ability to contribute to the administration's agenda and success.

Of course, the enduring success of the relationship depends on a reciprocal commitment from the vice president and OVP of loyalty and not to disparage the president or administration officials.<sup>77</sup>

#### *Support from Administration Personnel*

White House staffing arrangements have supported vice-presidential activity to allow the vice president to participate more effectively as an adviser and trouble-shooter. People closely associated with the vice president are sometimes appointed to important White House staff positions, either at the beginning or during an administration.<sup>78</sup> The presence of sympathetic persons in the White House and departments facilitates vice-presidential involvement. Vice presidents also sometimes must draw upon expertise from personnel from various departments or the White House. Departmental and NSC briefings help prepare and often support vice-presidential travel or diplomatic work. Major undertakings, like Gore's handling of reinventing government, have relied on personnel delegated from various agencies.<sup>79</sup>

#### *OVP Staffing*

The vice president receives funding for staff principally through a legislative and executive allocations. 3 U.S.C. §106 provides that "[i]n order to enable the Vice President to provide assistance to the President in connection with the performance of functions specially assigned to the Vice President by the President in the discharge of executive duties and responsibilities, the Vice President is authorized" to hire specified staff and consultants. It also provides for authorization to support official, entertainment and travel expenses of OVP as well as expenses

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<sup>73</sup> Moe Interview, Miller Center, 6.

<sup>74</sup> Interview with Mack McLarty, WHTP, November 16, 1999, 5.

<sup>75</sup> Neel interview, Miller Center, 70.

<sup>76</sup> Berman Interview, Miller Center, 3.

<sup>77</sup> Neel interview, Miller Center, 70.

<sup>78</sup> These would include, under Carter, David Aaron, deputy national security adviser, Bert Carp, deputy domestic adviser, Eliot Cutler, associate director, OMB, and Bernard Aronson, presidential speech writer; under Reagan, James Baker, presidential chief of staff, Marlin Fitzwater, presidential press secretary; under Clinton, Roy Neel, deputy chief of staff, Jack Quinn, White House Counsel; under Obama, Jay Carney, presidential press secretary; Tom Donilon, national security adviser, Tony Blinken, deputy national security adviser; under Trump, Mark Short, assistant for legislative affairs, Kellyanne Conway, counselor to the president, Alyssa Farah, Director of Strategic Communications. Vice President Pence's second chief of staff, Nick Ayers, was reportedly offered the position of White House chief of staff.

<sup>79</sup> Interview with Elaine Kamarck, May 7-8, 2008, William J. Clinton Presidential History Project, Miller Center, University of Virginia., 13, 35.

of the vice president's spouse related to assistance the spouse provides "to the Vice President in the discharge of the Vice President's executive duties and responsibilities."<sup>80</sup> The OVP staff supports the vice president's advising and operational activities and interacts with the presidential staff, other administration officials and others on the vice-president's behalf.

OVP is typically headed by a Chief of Staff who also has generally served as an Assistant to the President.<sup>81</sup> Beginning with Richard Moe under Mondale, those who have held that position, with few exceptions,<sup>82</sup> had both governmental and political experience. Moe focused on making sure the presidential-vice-presidential relationship worked while Deputy Chief of Staff-Counsel Mike Berman administered OVP.<sup>83</sup> Neel, Gore's first chief of staff, described advocating for the vice president within the White House as the "principal job of the Vice President's Chief of Staff."<sup>84</sup>

Vice-presidential staffs have varied in structure and in responsibilities but generally mirror principal areas of the White House staff. Thus, OVP will have units dedicated to necessary functional work (e.g., administrative, communications/press, legal, legislative, political) as well as advising areas (e.g., domestic, economic, national security/diplomatic).<sup>85</sup>

Although previously few members of OVP apparently also held appointments as Assistants to the President, Deputy Assistants to the President, and Special Assistants to the Presidents,<sup>86</sup> those double-hatted appointments have recently proliferated.<sup>87</sup>

#### *OVP Inclusion in Deliberations and Operations*

Beginning with the Carter administration, members of the OVP have been routinely included in White House and administration policy meetings.<sup>88</sup> Senior OVP personnel attended White House senior staff meetings.<sup>89</sup> A vice-president's national security advisers typically interface with the national security personnel. The vice-president's domestic advisers will be included in meetings dealing with domestic policy.<sup>90</sup> A vice president's legislative personnel will work on legislative liaison with the president's team. Occasionally, some vice-presidential staff have been accorded unique status. Leon Fuerth, Gore's national security adviser, participated as an equal partner with Clinton's national security and deputy advisers Tony Lake and Samuel Berger<sup>91</sup> and was included on NSC deputies and principals committees, the latter giving him equal

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<sup>80</sup> 3 U.S.C. §106.

<sup>81</sup> Moe Interview, Miller Center, 10; Neel Interview, Miller Center, 69;

<sup>82</sup> Admiral Daniel Murphy (Bush) lacked political, and Nick Ayers (Pence) governmental, experience.

<sup>83</sup> Moe Interview, Miller Center, 10-11.

<sup>84</sup> Neel interview, Miller Center, 70.

<sup>85</sup> For an older, but excellent discussion of vice-presidential staffing, see Paul C. Light, *Vice-Presidential Power: Advice and Influence in the White House*, 75-100 (1984).

<sup>86</sup> Martha Joynt Kumar, Rohil Chekuri, and Emma Giusto, White House Office: Selected Years, Presidents Carter Through Obama, Organizational Chart Series 2017-100, WHTP Operations Essays, WHTP..

<sup>87</sup> See "2021-100 White House Overall," 2013-2017, Office Organization Charts, Office Briefs Supporting Materials, WHTP Resources, WHTP

<sup>88</sup> Interview with Leon Panetta, WHTP, May 4, 2000, 6; Interview with Mike McCurry, WHTP, II, March 27, 2000, 27 (inclusion of Gore's aides); Neel Interview, Miller Center, 69 (inclusion of Gore staff on major councils); Fuller Interview, 36 (inclusion of Fuller in Reagan White House); Moe Interview, Miller Center, 9-10.

<sup>89</sup> Light, *Vice-Presidential Power*, 76.

<sup>90</sup> Bolten Interview, Miller Center, January 15-16, 2013, 129 (describing Cheney domestic advisers).

<sup>91</sup> Interview with Samuel Berger, March 24-25, 2005, William J. Clinton Presidential History Project, Miller Center, University of Virginia.36; Interview with Leon Fuerth, July 7, 2008, William J. Clinton Presidential History Project, Miller Center, University of Virginia, 12.

status to a Cabinet member.<sup>92</sup> Cheney had a large and experienced national security staff whose members made policy contributions that were not simply derivative of the vice president's status.<sup>93</sup>

These integrated arrangements serve multiple purposes. They inform OVP of issues that are percolating and proposals under consideration in the White House and executive branch. They allow OVP to participate in policy deliberation at multiple levels before issues reach the president. They allow presidential decision-making to benefit from the talent at OVP. And they contribute to cohesion between the president's staff and OVP by engaging both in a shared enterprise.

Vice-presidential chiefs of staff often handle assignments from the president. Moe, who headed various task forces for Carter, said he spent more time working for Carter than Mondale.<sup>94</sup> Scooter Libby was a principal national security adviser to Bush.<sup>95</sup> Bruce Reed, who was Vice President Biden's second chief of staff, supervised the preparation of the 2012 State of the Union speech.<sup>96</sup>

Depending on the assignment, vice-presidential operational assignments have been supported by either OVP staff or by persons detailed from departments. When Gore ran reinventing government, Elaine Kamarck, the OVP staffer who handled it, assembled a team that generally numbered about 70 but grew to 400 using detailees and money from the Pentagon budget but that generally was about 70.<sup>97</sup> Fuerth's advising and operational world regarding Gore's various binational commissions was supported by a staff of about eight professionals consisting of personnel from the military branches and civilians from various departments.<sup>98</sup>

#### *Other Resources*

Vice Presidents enjoy other important resources including the Naval Observatory, which allows dinner meetings and other entertaining, and access to White House air planes.<sup>99</sup> The vice president's Capitol Hill office provides space for some legislative operations.

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<sup>92</sup> Berger Interview, Miller Center, 36; Fuerth Interview, Miller Center, 10, 12; Albright Interview, Miller Center, 28.

<sup>93</sup> Interview with Peter Feaver, WHTP, May 24, 2016, 67-68.

<sup>94</sup> Moe interview, Miller Center, 10.

<sup>95</sup> Bolten Interview, Miller Center, January 15-16, 2013, 129.

<sup>96</sup> Goldstein, *White House Vice Presidency*, 169.

<sup>97</sup> Kamarck Interview, Miller Center, 13, 35.

<sup>98</sup> Fuerth Interview, Miller Center, 14.

<sup>99</sup> Berman Interview, Miller Center, 21.