

Presidential Appointments and Personnel

David E. Lewis

Department of Political Science, Vanderbilt University, Nashville, Tennessee 37235-1817;
email: david.e.lewis@vanderbilt.edu

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Abstract

This article reviews some recent advances in research on presidential appointments and personnel. I focus specifically on research analyzing changes in the institutional environment of presidential personnel, how presidents make decisions about whom to appoint, and the effects of presidential appointees on outputs. I explore what we know about how presidents have worked to change institutions surrounding presidential personnel by increasing the number of appointees and augmenting White House personnel operations. I examine how presidents decide what factors to value when choosing personnel. When do presidents value loyalty, competence, campaign support, or other characteristics of potential appointees? Finally, I examine the effects of appointees on outputs. What influence do appointees have over outputs and why do some have more influence than others? I describe the general trajectory of research in each area as well as some emerging issues confronting scholars in these areas.

INTRODUCTION

Some of the key stories surrounding the Obama Administration in year two as the midterm elections approached involved the fates of White House staff and members of the president's economic team. Rahm Emanuel, Peter Orszag, and Christina Romer had all departed (Montgomery 2010, Shear & Zeleny 2010). Others were rumored to be departing (Bendery 2010, Pace 2010, Stewart & Bohan 2010). The names of the departed had become synonymous with the tribulations of Obama's presidency. The president sought to shore up his flagging approval ratings and energize a stubborn economy with staff changes. He was looking for fresh faces to refocus his administration's efforts. All of those leaving had been central figures in the administration as policy makers, day-to-day managers, and public spokespersons.

These cases illustrate just how much the success or failure of the U.S. president and the nation depends on the persons the chief executive chooses for the key jobs in government. One of the president's most important powers is the ability to staff the top executive positions in the federal bureaucracy (Waterman 1989). It is also one of the president's most difficult tasks. When new presidents assume office, they have to fill close to 4,000 jobs (Lewis 2008, Patterson 2008, Patterson & Pfiffner 2001, Pfiffner 1996), one quarter of which require Senate confirmation. This number does not include judgeships, nor the thousands of advisory committee positions throughout the executive branch. The president's choices shape the content of the politics and policy of the administration.

Given the importance of presidential personnel choices and recent advances in presidency research more generally, it is no surprise that research on presidential appointments and executive personnel is an area of particular intellectual ferment (Aberbach & Rockman 2009, Moe 2009). In this review, I focus specifically on research on three aspects of presidential personnel: changes in the institutional environment of presidential personnel, how presidents decide whom to

appoint, and the effects of presidential appointees on outputs. I explore how presidents have worked to change institutions surrounding presidential personnel, namely by increasing the number of appointees and augmenting White House personnel operations. I examine how presidents decide what factors to value when choosing personnel. When do presidents value loyalty, competence, campaign support, or other characteristics of potential appointees? Finally, I examine the effects of appointees on outputs. What influence do appointees have on outputs, and why do some appointees have more influence than others? I describe the general trajectory of research in each area as well as some emerging issues confronting scholars in these areas. This review is not intended to be comprehensive but rather a selective overview of important developments and issues.

THE INSTITUTIONAL ENVIRONMENT OF PRESIDENTIAL PERSONNEL

Whether presidents are able to accomplish their policy and political goals through personnel is importantly shaped by institutional factors such as the details of the federal personnel system and the contours of the White House personnel operation. The modern civil service system got its start in the 1883 Civil Service Reform Act (Pendleton Act).¹ The act mandated that a small portion of federal jobs—originally about 10.5%—be filled on the basis of merit demonstrated through civil service exams. The act created a divided personnel system, with some jobs filled on the basis of merit and others filled at the discretion of the president, the president's subordinates, or other actors Congress

¹Although there had been scattered efforts to implement civil service reform, it was not until 1883 that the federal government enacted reform with a lasting impact (see, generally, Carpenter 2005, Johnson & Libecap 1994, Kaufman 1965, Nelson 1982, Raadschelders & Lee 2005, Skowronek 1982, Theriault 2003, U.S. Office of Personnel Management 2003, Van Riper 1958, White 1958).

had identified.² Over time, the proportion of federal jobs included in the civil service system expanded, as did the scope of the system. Protections against partisan dismissal were added in the late 1890s, and federal workers gained the right to unionize in 1912. Congress added pay equity and retirement provisions into civil service law in the 1920s, and partisan political activity by civil servants was prohibited in 1939 (Lewis 2008, ch. 2; West 2006). By the end of the Truman Administration, close to 90% of all federal jobs³ were included in the civil service system, and this system provided regularized pay grades and job definitions. By mid-century, the jobs that remained subject to presidential appointment were primarily top executive branch positions (e.g., secretaries, under- and assistant secretaries, commissioners) and a small but growing White House staff.⁴

Historically, presidents leaned heavily on party officials to identify and fill the thousands of vacancies that naturally occurred after elections. National party officials obtained key patronage-rich posts such as Postmaster General, where they controlled the distribution of thousands of jobs (Fenno 1959, Mann 1964).

²The Constitution provides that the president “shall nominate, and by and with the Advice and Consent of the Senate, shall appoint Ambassadors, other public Ministers and Consuls, Judges of the supreme Court, and all other Officers of the United States, whose Appointments are not herein otherwise provided for, and which shall be established by Law: but the Congress may by Law vest the Appointment of such inferior Officers, as they think proper, in the President alone, in the Courts of Law, or in the Heads of Departments” (Article II, sec. 2). In practice, federal jobs were filled by a combination of local, state, and national party officials in cooperation with the president and members of Congress from the president’s party.

³This proportion overestimates the number of jobs subject to presidential selection. Most of the jobs outside the traditional civil service system were jobs in agencies with their own merit systems (e.g., Foreign Service, Tennessee Valley Authority) or were overseas where merit rules were impractical and probably unnecessary as a protection against patronage. So steep was the decline in federal jobs subject to appointment that some political scientists declared the era of patronage over (Price 1944, Sorauf 1960).

⁴Some regional posts remained subject to political appointment, such as U.S. Marshals, U.S. Attorneys, and regional agricultural posts, but by tradition presidents deferred to senators or state party officials in the filling of these posts.

National parties went so far as to open offices across from the White House to handle requests for federal jobs. They provided a private workforce for the public job of filling federal jobs. Presidents utilized associates and White House staff to help them handle personnel and serve as liaisons with Congress and the parties, but the development of a regular White House personnel operation is a late-twentieth-century innovation.

By most accounts, the institutional environment confronting presidents at the advent of the modern presidency was inconsistent with the needs of presidents themselves (Moe 1985a). Neustadt (1990 [1960], p. 7) summarizes nicely the plight of modern presidents: “Everybody now expects the man inside the White House to do something about everything.” Fairly or unfairly, voters hold modern presidents (both Democratic and Republican) accountable for the functioning of the entire government, from foreign policy to the national economy (Moe 1985a). For electoral reasons and to protect their historical legacy, presidents have strong incentives to be responsive to voters’ expectations. Voters expect presidents to fulfill campaign promises on issues such as health care and education and to manage competently issues they could not foresee when they took office. In this environment, it is no surprise that presidents have worked to alter the number of appointees at their disposal and augment their own capacity to select personnel carefully.

Since mid-century, the number and percentage of presidential appointees in the federal government has more than doubled (Lewis 2008). Most scholars agree that some of the growth stems from natural factors such as an increase in the number of programs and agencies created by Congress (Hecklo 1977, Light 1995) and the consistent need for all presidents to get control of the bureaucracy (Ingraham et al. 1995, Moe 1985a). Some scholars focus particularly on the actions of Republican presidents or see the efforts to increase the number of appointees as ideologically driven (Durant 1992; Goldenberg 1984; Michaels 1997; Nathan 1975, 1983; Newland 1983;

Rosen 1983; Suleiman 2003). Others, however, point out that the number of appointees peaked at the end of the Carter Administration and, while fluctuating, has not exceeded that peak (Lewis 2008). The largest increases in the number of appointees appear to have come during periods of unified government. Adding appointees improves the president's ability to get agencies to do what the president and the majority in Congress want agencies to do. New appointed positions also provide patronage opportunities that benefit members of Congress and their party.

Presidents have targeted some offices, agencies, and departments more than others. The number of regional appointed positions, often subject to legislative control, has declined while the number of Washington policy-related appointments has increased (Weko 1995, p. 25). Presidents have moved to shift key management positions such as assistant secretaries for administration from career positions to appointed positions and are conscious about controlling what one personnel official called the "choke points" in government, such as budget offices, management offices, and general counsels' offices (Hecló 1977). Scholars have also noted an increase in the penetration of appointees in agencies central to the presidents' administrative powers. Presidents have particularly increased the number of appointees in the General Services Administration, Office of Management and Budget, Office of Personnel Management, and Office of Special Counsel (Hecló 1975, 1977; Ingraham et al. 1995; Lewis 2008; Lewis & Moe 2009).

Classifying agencies as liberal, moderate, or conservative, several scholars have noted that presidents target agencies with ideologies dissimilar to their own (Aberbach & Rockman 2000, Bertelli & Feldmann 2007, Ingraham et al. 1995, Lewis 2008). For example, Lewis (2008) shows that the number and percentage of appointees increased more in liberal agencies under conservative presidents and more in conservative agencies under liberal presidents. This is particularly the case in agencies where the addition of appointees will have a relatively small

marginal impact on the overall performance of the agency.

Of the works that examine changes in the number of appointees, the most recent and thorough treatment is by Lewis (2008). He presents a theory to explain when presidents want to increase or decrease the number of appointees in different agencies, focusing on the dual presidential desires to get control of administrative policy making and to satisfy patronage demands. Presidents, he argues, are driven by a desire to shape administrative policy outputs, and they use appointed positions to achieve that end. Increasing the number of appointees is one way presidents can get control of agencies whose policy views differ from those of the president. Presidential choices, however, are constrained by concerns about performance and the preferences of Congress. Adding appointees can influence the policy outputs of agencies but can harm agency performance. Presidents must make tradeoffs between policy influence and agency performance. Lewis concludes that presidents are more likely to increase appointees in agencies whose views differ from the president's and in agencies whose performance is least sensitive to the addition of appointees.

Members of Congress also have views about the policy outputs of agencies, so they are more or less sanguine about changes in the number of appointees depending on whether the president is likely to use these appointees to change policy in a way members prefer. Lewis (2008) finds that the number of appointees increases significantly more during periods of unified party government.

On the patronage side, presidents need to reward campaign and political supporters with jobs. The shrewd distribution of jobs is an important political resource for presidents. Yet, typical patronage appointees are not qualified for key policy-making jobs in government, and so presidents must position them where they will do the least damage to the president's agenda. Lewis (2008) argues that presidents are more likely to place patronage-type appointees in agencies that share the president's

views about policy, often agencies whose activities are closer to the core policy commitments of one party or the other. Lewis finds increases in lower-level “Schedule C” positions in agencies that share the president’s views about policy.

White House Institutions

Presidents have not only increased their number of appointees but also expanded their capacity to vet and place them more effectively (see, generally, Bonafede 1987; National Academy of Public Administration 1983, pp. 21–44; Mackenzie 1981; Pfiffner 1996; Weko 1995).⁵ Increasing the number of appointees is a less effective strategy for presidents if they cannot select these appointees carefully. President Truman was the first president with a White House aide fully dedicated to presidential personnel. By the Kennedy Administration, a staff of three was dedicated to presidential personnel, with responsibilities for handling patronage and finding appropriate people to push the president’s programs in the agencies. The number swelled to nearly 30 in the Nixon Administration, and today the Presidential Personnel Office (PPO) often contains more than 100 persons during the transition. The staff handling personnel now regularly includes professional recruiters, and their work is aided by sophisticated information-technology systems that manage paper flow, including applicant resumes (Kumar 2009).

Not surprisingly, with growth and learning over time, the operations of the PPO have become increasingly institutionalized. This process has been hindered by the fact that all PPO personnel are replaced during every change in administration (Bonafede 1987;

National Academy of Public Administration 1983). Dramatic personnel turnover hinders the development of institutional memory, offices and roles with clear jurisdictions, and routinized processes. However, communication between incoming administrations and outgoing administrations, academicians, think tanks, and partisans from previous administrations provide some continuity (Kumar 2009, Kumar & Sullivan 2003). Advice from sources seen as sympathetic to the new administration is treated as the most trustworthy.

The work of the PPO includes an imperfect but regular division of labor by policy area and between those working primarily to fill key policy positions and those handling the hundreds of thousands of requests for jobs in any new administration (Lewis 2008, National Academy of Public Administration 1983, Patterson & Pfiffner 2001, Pfiffner 1996, Weko 1995). In some administrations the clearance process for nominees is centered in the PPO, whereas in other administrations the PPO is simply one participant in a larger process of “running the traps” that includes other White House offices such as the Office of Political Affairs and the Office of Legislative Affairs (see National Academy of Public Administration 1983, p. 62). Over the past 30 years, presidents have asserted greater control over all presidential appointments from the most visible Senate-confirmed positions to the smallest staff or advisory positions (Pfiffner 1987, 1996). Although some high-profile appointees extract some power to select their subordinate appointees, the trend is toward more White House control. This has been facilitated by the augmentation of the PPO and the creation of White House liaison positions out in the departments and agencies. These White House liaisons work with the large departments and agencies to identify vacancies and find persons to fill them who satisfy both the White House and the agency.

Congress has rarely resisted presidents’ efforts to improve their personnel operation. One reason is that legislators recognize the need for presidents to select carefully persons for a large number of positions. Congress also is not

⁵The decline in the party organizations accompanied the rise of the White House personnel operation. Candidates were freed from party control by the rise in primaries, the declining utility of party workers campaigning door-to-door, and the ability of candidates to raise funds outside the party (Sorauf 1960, Thompson & Brown 1997). Candidates also needed polling and public-relations professionals the party could not provide (Mackenzie 1981, ch. 3; Weko 1995).

SES: Senior Executive Service

particularly good at defending its institutional interests, even if it wants to rein in the president. The transaction costs of trying to stop the president from building up the PPO are high, particularly since the president's partisans in Congress prefer the president to have this power.

Emerging Issues

The preceding discussion hints at a number of emerging issues at the frontiers of scholarly knowledge in this area. First, scholars disagree about the numbers of relevant appointments available to the president, and this can influence conclusions about whether the number of appointees is increasing and whether this increase is consequential. Some scholars place the number of executive branch appointments at >6,000 positions whereas others put the number closer to 500 (see, e.g., Lewis 2008; National Commission on the Public Service

1989, 2003; Patterson 2008). What explains the difference? The primary disagreement concerns which appointed positions to count (see sidebar, "Types of Appointed Positions"). Specifically, some scholars omit appointments to advisory committees, part-time positions, White House positions, and lower-level appointed positions. Some scholars focus only on the most policy relevant positions, and others count all positions.

Second, provided the counts of the number of appointees are correct, it is puzzling that presidents do not make greater use of their authority and create more appointed positions. There are a number of possible explanations. Some scholars argue that presidents are constrained by performance concerns (Lewis 2008, Maranto 1998, White 1954). Lewis (2008), for example, argues that if presidents were to add too many appointees, the performance of agencies would suffer, to the detriment of the president's reputation and ability to control the agencies (Gailmard & Patty 2007, Huber & McCarty 2004). Maranto (1998, 2001) goes a step further and argues that the United States should consider a return to an all-appointee personnel system because presidents have an interest in selecting and retaining people who will ensure competent government performance.

Presidents also have other means of administrative influence. For example, presidents may use centralization as an administrative strategy, lessening the need for large numbers of appointees in the departments and agencies (Moe 1985a, Rudalevige 2002, Rudalevige & Lewis 2005). Presidents have also gained increased powers to contract out federal jobs and can use other hiring authorities that give them more personnel control without creating new appointed positions. For example, presidents have substantial latitude in determining the number of Senior Executive Service (SES) allocations across government, can use limited term and limited emergency appointments within the SES to move appointee types into agencies on a short-term basis, and have worked to increase the number of agency-specific personnel systems (Pfiffner

TYPES OF APPOINTED POSITIONS

There are four general types of appointed positions. The most visible are those that require presidential nomination and Senate confirmation (PAS). These positions are at the top of the federal personnel hierarchy. In 2008 there were 1,141 PAS positions in the executive branch. This number includes 186 U.S. Attorneys and U.S. Marshals, as well as 135 ambassadors and hundreds of minor advisory or committee-supervisory roles often requiring only part-time employment, paid on a per diem basis. Between PAS positions and the competitive civil service is a middle level of managers—a mixture of career employees from the Senior Executive Service (SES) and political appointees who are added as noncareer members of this service (NA). In 2008 there were 665 appointees in the SES. The third type of appointee is the Schedule C appointee. These are persons serving in positions of a confidential or policy-determining nature but generally in subordinate roles (e.g., staff assistant, speechwriter, etc.). In 2008 there were 1,559 Schedule C appointees. The final category comprises other presidential appointees who, like NA and Schedule C appointees, do not require Senate confirmation. There were 314 of these appointees in 2008, most of them serving in the White House or on advisory committees.

1996). Agency-specific personnel systems generally give executives more control over hiring, firing, promotion, and transfers. More recently, presidents have turned to the use of informal White House czars to help direct agency actions (Hamburger & Parsons 2009).

Finally, presidents are influencing the selection and placement of top-level civil servants. The bulk of research on presidential personnel in the United States focuses on presidential appointees. Yet, the president and the president's subordinates retain substantial influence over the selection of top career professionals in government both through the SES and the promotions of top career professionals (Aberbach & Rockman 1995, Lewis & Moe 2009).

HOW PRESIDENTS CHOOSE APPOINTEES

Political scientists have a longstanding interest in the backgrounds and qualifications of appointees. Political scientists have carefully researched the backgrounds of top executives in government at different levels episodically over time (see, e.g., Cohen 1988, Fisher 1987, Krause & O'Connell 2010, McMahon & Millett 1939, Mann 1964, National Academy of Public Administration 1985, Stanley et al. 1967). McMahon & Millett (1939), for example, assiduously research and detail the backgrounds of executives down to the bureau-chief level. Some of what we know about the backgrounds of executives is based on research from publicly available sources such as White House press releases, news reports, congressional documents, and personal investigation; other research uses survey data to describe the aggregate characteristics of the executive class (Aberbach et al. 1981; Aberbach & Rockman 1976, 1995, 2000; Fisher 1987; Maranto 1993; Maranto & Hult 2004; Michaels 1997). Aberbach & Rockman (1976, 1995, 2000), over the course of three decades, interviewed top federal executives about their backgrounds, work environments, and experience. Maranto and Michaels fielded surveys of their own in the 1990s. Some of the key insights of this work

are that, although there is still variation, the quality of appointees has improved since the first half of the twentieth century. For example, Mann (1964, p. 81) writes, "One imaginative commentator asserted that. . .the difference between an Eisenhower and a Kennedy executive was about 30 years and a shift from 'gentleman "C" boys' to Phi Beta Kappas." Even though the appointee class is still largely Caucasian, middle to upper class, and Protestant, the regional, religious, and demographic diversity of appointees has also increased, although more in some administrations than others (Fisher 1987, Mann 1964). Political executives are now more likely to enter public service with previous government experience and to be located in the Washington, DC area (Fisher 1987).

Work in this tradition describes the different factors the White House considers when making personnel decisions, such as ideology, loyalty to the president, competence, demographic characteristics, political connections, congressional acceptability, work for the party, and other factors (Cohen 1988, Fenno 1959, Hecl 1977, Mackenzie 1981, Mann 1964). Mackenzie (1981), for example, carefully details the influence of the members of Congress, parties, agencies, and interest groups in separate chapters after orienting the reader toward the presidents' own interests and processes for personnel selection. This work provides rich detail about the reasons why presidents and their teams select one person rather than another.

Characteristics of Appointees

Recent scholarship emphasizes loyalty and competence in personnel selection because these characteristics are important for political control of the bureaucracy (Edwards 2001, Moe 1985a). As Mann (1964, p. 82) explains, "The President is interested in staffing his administration with people personally and politically loyal to him, who will at the same time bring competence and support to the programs he espouses." Presidents use their appointees to change public policy in government agencies and exert control over the bureaucracy.

Presidents' efforts to use appointees for this purpose have been aided by the weakening of traditional party organizations (Mackenzie 1981, Moe 1985a, Thompson & Brown 1997, Van Riper 1958, Weko 1995). The declining influence of traditional actors over personnel has allowed presidents more freedom to select loyalists with an eye toward accomplishing the administration's policy and political goals in the bureaucracy.

Arguably the most influential work in this area is a chapter by Moe (1985a), which deals with presidential administrative strategies. It provides a compelling theoretical explanation for the increased attention of modern presidents to loyalty and competence in appointments. Rather than attribute recent developments in the administrative presidency, such as the politicization of the bureaucracy, to the choices of individual presidents, Moe argues that the actions of these presidents are best understood as part of the larger development of the institution. Modern presidents are held accountable for the functioning of the entire government, and to the extent that the existing structures of the institutional presidency are inconsistent with presidential incentives to respond to these pressures, presidents work to change their political environment. They augment the institutional resources of the presidency and make sure these resources are responsive to the president's political needs via centralization of policy-making authority in the White House and politicization of the institutional presidency and executive branch. Modern presidents increasingly bypass administrative agencies in policy making by building up the White House staff and select appointees who provide "responsive competence." Presidents, Moe notes, have increased the size and professionalism of the White House personnel operation, secured control over appointees down to the lowest levels, and increasingly selected appointees on the basis of loyalty as a means of getting control of agency decisions and policy outputs.

A significant amount of work in the field, whether dealing with changes in the number

of appointees or growth of the White House staff or the criteria on which appointees are selected, takes Moe (1985a) as a key point of reference. Indeed, a significant amount of subsequent work sought to define these concepts more precisely and explain when presidents centralized and when they politicized (Rudalevige 2002, Lewis 2008).

This line of research largely focuses on differences among agencies and argues that presidential appointments are importantly influenced by the characteristics of the agency whose positions presidents are filling. When presidents take office, they are confronted with 15 cabinet departments and 55–60 independent agencies staffed by more than two million federal employees. Some of these agencies share the president's views about policy and some do not (Aberbach et al. 1981; Aberbach & Rockman 1976, 1995, 2000; Bertelli & Grose 2009; Clinton & Lewis 2008; Clinton et al. 2010; Maranto 1993). Some agencies will do what the president wants with very little attention from the White House, whereas others will produce policies inconsistent with the president's wishes and campaign promises if not actively managed. Presidents pay particular attention to those agencies whose views differ from their own. For such agencies, incoming presidents have incentives to select appointees who can effectively change agency policy.

Whether presidents select appointees who share their ideology or a different ideology remains an open question (Bertelli & Feldmann 2007, Epstein & O'Halloran 1999). Bertelli & Feldmann (2007) argue that presidents have an incentive to select appointees with ideologies that will offset the influence of agency stakeholders. This means that presidents may in some cases prefer to appoint persons with views that differ quite dramatically from their own. Whether one expects presidents to select appointees with their own ideology or a different view of policy depends on an implicit theory of agency decision making. For example, if appointees can set agency policy at their ideal point, presidents are likely to select appointees that share the president's ideology,

all else equal. If, however, appointees can only partly influence agency policy due to resistance from agency officials or outside groups, presidents will sometimes have incentives to select appointees whose policy views will balance out countervailing views. A conservative president, for example, may select an even more conservative appointee to counterbalance a particularly liberal agency.

The pool of available appointees may constrain the president's ability to select an appointee with the president's preferred ideology. There are fewer loyalists available for many positions than widely believed because of the expertise requirements. Many of the people whose expertise, reputation, or political connections make them eligible for a position will have no particular loyalty to the president. Yet presidents need loyalty, since the agendas and patterns of operation for the departments and agencies of government were set well before the president assumed office. These aspects of agency behavior serve to reinforce the status quo rather than the president's interests (Edwards 2001).

Agencies not only differ in the similarity of their policy views to the president's, they also vary in their importance to the president. Presidents pay more attention to agencies central to their policy agenda and prioritize some positions over others (Kumar 2009, Parsneau 2007). During the Eisenhower transition, McKinsey and Company identified 131 policy positions to prioritize (Mann 1964, p. 85). President Reagan's team focused on the "key 87 positions." Others have focused on identifying the "choke points" in government or making sure positions that are dealing with hot-button issues get filled first (Ingraham et al. 1995). Agencies on the president's agenda are likely to be staffed differently than other agencies (Horton & Lewis 2010, Parsneau 2007). Presidents arguably are more attentive to loyalty and competence in these positions than other positions in government because delivering outcomes consistent with the president's preferences are the most important here. Appointees must have the right views

and be able to implement them in a complex management environment. Of course, other characteristics of the jobs and agencies, such as technical expertise, statutory limits on nomination, and the wishes of key stakeholders can also be influential (Cohen 1988, Fenno 1959, Hecl 1977, Mackenzie 1981, Mann 1964).

Presidents have ideas about whom to select based on how they stack up with regard to loyalty, competence, and other characteristics, but they also have to account for the preferences of the Senate. Presidents often modify their nominations to accommodate senators' views (Bertelli & Grose 2009, Calvert et al. 1989, Chang 2001, Deering 1987, Mackenzie 1981, Snyder & Weingast 2000). Failure to do so results in delay, defeated nominations, and political fights that can detract from the president's agenda (McCarty & Razaghian 1999). In some cases, the Senate refuses to confirm nominees—particularly to the independent regulatory commissions—unless the president agrees to nominate the preferred candidate of a key committee chair or party leader along with the president's nominee (Devins & Lewis 2008, Ho 2010).

Scholars have focused increasing attention on the nomination and confirmation process because delays in filling positions are growing, particularly during periods of divided government (McCarty & Razaghian 1999). For example, President Obama still had more than 15% of his team vacant as the midterm elections approached. Determining the causes of delay in nomination and confirmation can be difficult, partly because nomination delay is often created by anticipation of trouble in the Senate. White House staffers spend more time vetting and obtaining political clearance when they anticipate trouble in the confirmation process. A number of scholars have complained about the ethics and paperwork requirements confronting nominees (Sullivan 2009). The lengthy, repetitive, embarrassing process of being vetted is a deterrent to service.

Delays in confirmation also naturally arise because individual senators do not share the president's views about policy, and Senate

norms for deference are breaking down. As party polarization increases, senators have fewer incentives to cooperate with presidents on appointments, and cooperation costs them more in policy outputs and reputation. Both President Bush and President Obama faced determined opposition parties frequently opposing administration nominees, particularly when they provided a campaign issue. Individual senators of both parties are increasingly prone to using holds (i.e., filibuster threats) as leverage in negotiations with the White House or to make political points. For example, Senator Richard Shelby (R-AL) justified a blanket hold on dozens of nominees because of concerns about a tanker contract and funding for a proposed counterterrorism center that affected his home state (Murray 2010). Senator Robert Menendez (D-NJ) slowed the confirmation of nominees to head the White House Office of Science and Technology Policy and National Oceanic and Atmospheric Administration to make a point about U.S. foreign policy in Cuba (Eilperin 2009). One natural response to these confirmation difficulties is the increased use of recess appointments and special White House positions known colloquially as “czars” (Corley 2006, Villalobos & Vaughn 2010).

President Obama confronted a determined minority in Congress that was not inclined to support administration appointees, particularly if opposing those appointees might give the Republican Party an election issue. To circumvent the Senate, the president granted recess appointments to more than 20 nominees.⁶ These include some of his most controversial appointees, such as Mari Carmen Aponte (ambassador to El Salvador), Donald Berwick (administrator of the Centers for Medicare and Medicaid Services), and Craig Becker (member of the National Labor Relations Board).

⁶U.S. Senate data on pending nominations can be found at http://www.senate.gov/pagelayout/legislative/one_item_and_teasers/nom_cmtec.htm (accessed October 26, 2010).

Presidents also distribute federal jobs in exchange for electoral or political support. Although political scientists carefully studied the distribution of federal jobs in exchange for political support through the middle of the twentieth century, this topic has received less attention in the discipline since then (Bearfield 2009, Lewis 2009; see, however, Tolchin & Tolchin 1971). Political scientists dutifully recorded the emergence of the spoils system, chronicled and advocated its decline, and described its causes and consequences up through mid-century (see, e.g., Fish 1902; Friedrich 1937; Kaufman 1965; Van Riper 1958; White 1948, 1954; Wilson 1887). The widespread belief that the era of patronage (meaning party-based patronage) was over, and the increasing attention paid to appointees as instruments of political control, largely turned scholarly attention away from a direct focus on the use of appointments as a source of political currency. Yet, appointments are an important political resource that presidents use in working with parties, interest groups, and Congress, and the careful management of this resource can help presidents accomplish their policy and political goals (Bearfield 2009; Hecl 1977; Lewis 2008, 2009; Mackenzie 1981; Tolchin & Tolchin 1971; Weko 1995). For a president short on formal constitutional power, the ability to give and withhold jobs is an important source of leverage in the political system. Federal patronage can help unite party factions and induce political support from key groups. As George Washington Plunkitt (Riordan 2004 [1905], p. 10) explained, “Parties can’t hold together if their workers don’t get the offices when they win.” Members of Congress also ask for and receive appointments for their staff and constituents (Rottinghaus & Bergan 2010). Presidents who use appointments wisely presumably find it easier to build legislative support for themselves and their programs. Works that examine where presidents place appointees selected for campaign experience or connections focus on agencies that share the president’s views about policy, agencies off the president’s

agenda, and large agencies with few technical expertise requirements (Lewis 2008, 2009).

Emerging Issues

Significant progress has been made in describing the backgrounds of federal executives and the different factors that presidents and their subordinates take into account in personnel selection. A number of issues remain, however. First, the literature does a better job describing factors that can be important than explaining which factors are important for which appointments and when. For example, for what jobs are loyalty and/or competence most important? When do factors other than competence receive the most weight? Few candidates for federal jobs can be loyal, competent, politically connected, representative of geographic and demographic diversity, and satisfying to important presidential constituencies all at the same time. Horton & Lewis (2010), for example, explore which agencies receive appointees with the fewest demonstrated credentials and greatest political connections, but their work highlights a second outstanding issue in this line of research.

Horton & Lewis (2010) assume that appointees with higher education levels, more agency experience, previous public management experience, and previous expertise in the policy area of their agency are more competent than other appointees. Yet, it is unclear what competence means in this context and how to measure it. When scholars argue that an appointee is competent, does this mean substantive expertise in a particular policy area (e.g., agriculture, commerce, interior) or procedural competence (e.g., information technology, public affairs, legislative relations)? If a person comes directly from a political role on the campaign to the public affairs office or a staff position, should that person be considered more or less qualified than somebody with subject-area expertise in the same role but no political experience? Measuring competence systematically is also difficult. There are cases where demonstrated credentials are not accurate

measures of competence. For example, are education levels correlated with competence? On the one hand, those with higher education levels arguably have greater training, subject-area expertise, or critical-thinking abilities. On the other hand, executives who get to the top levels of government with lower levels of education presumably must be quite good to have been promoted despite that lack of demonstrated credentials.

It is reasonable to assume that persons who worked on the campaign or transition received jobs partly in exchange for their work. Yet, work on the campaign can be an important indicator of loyalty. Jobs may be given to donors or campaign workers not just to repay political debts but also because these people have demonstrated loyalty in a costly way. It is important to note that this type of loyalty is different from ideological fealty. Many of our models of presidential appointments focus on the ideological preferences of presidents, appointees, and other relevant actors, but this concept is distinct from personal loyalty to the president.

Finally, the most common means of analyzing presidential appointments implicitly assume that appointments occur in isolation from each other. A number of works evaluate the backgrounds or ideologies of appointees in connection to specific jobs, such as Secretary of State. Yet, the selection of the Deputy Secretary of State or United Nations Ambassador historically has been influenced by the need to make up for perceived shortcomings in the president's Secretary of State. What is true in the State Department is true in other agencies as well. Presidents and their subordinates assemble teams of executives in different agencies, and not all of the persons on the executive team need to have political acumen, public-management experience, subject area expertise, and connections to key stakeholders. An agency may have low average levels of political experience, but a few well-placed and experienced political operators may be able to provide the team exactly what it needs for optimal performance from the president's perspective. The proper unit of analysis in studies of presidential personnel is arguably

the management team rather than the individual executive.⁷

THE INFLUENCE OF PRESIDENTIAL PERSONNEL ON OUTPUTS

A substantial body of work examines whether presidential appointments influence policy outputs. This work demonstrates that the replacement of liberal appointees with conservative appointees or vice versa can change agency outcomes (Moe 1982, 1985b; Randall 1979; Stewart & Cromartie 1982; Wood 1990; Wood & Anderson 1993; Wood & Waterman 1991, 1994). The replacement of one appointee with another can influence the number of lawsuits, enforcement actions, evaluations, and certificates issued as well as budgets and other agency outputs (Wood 1990; Wood & Anderson 1993; Wood & Waterman 1991, 1994). It also provides presidents a means of influencing the distribution of goods and services in an electorally or politically advantageous way (Berry et al. 2010, Berry & Gersen 2010, Bertelli & Grose 2009, Chen 2009, Gordon 2010a,b, Larcinese et al. 2006, Shor 2006). Gordon (2009, 2010), for example, demonstrates how Republican appointees funneled procurement monies in the General Services Administration to Republican districts and how U.S. Attorneys' behavior reveals bias against defendants from the other party in public corruption cases. Other recent works show how presidential appointees influence the distribution of federal grants to copartisans and electorally important districts and states (Berry et al. 2010, Berry & Gersen 2010, Bertelli & Grose 2009, Hudak 2010). Presidents allocate additional funds to help support legislators in their own party and bolster their reelection chances in swing states.

Of course, there is variation in the extent to which presidents can influence agency outputs through appointments. Appointees in some agencies have a dramatic influence on agency

outputs whereas appointees in other agencies have little influence. Why are presidents more successful at changing agency outputs through appointments in some agencies than others? One obvious answer is that the amount of personnel influence varies across the administrative state. Some agencies, such as those in cabinet departments, have been designed to facilitate presidential influence whereas others have been designed explicitly to limit the president's appointment power (Lewis 2003, McCubbins et al. 1989, Moe 1989, Wood & Bohte 2004). Independent commissions, for example, have been designed with party-balancing requirements and fixed and staggered terms that limit the president's power to nominate and remove commissioners.⁸ This makes it systematically less likely that presidents will be able to nominate persons of their choosing and control them once they take office. In addition, not all appointments to commissions will change policy. Because presidents often have to replace copartisans on commissions rather than commissioners from the other party, presidents' power to change policy is episodic and rests on their ability to alter the median (Chang 2001, Nokken & Sala 2000, Snyder & Weingast 2000). Even within the set of agencies designed to facilitate presidential influence, there are more appointees in some agencies than others, and this partly determines the extent of presidential influence (Lewis 2008).

Another source of variation in appointee influence is that some agencies are harder to influence than others. Some agencies are more liberal or conservative than others owing to their mission or the views of career employees, and this can influence agency receptiveness to appointee direction (Aberbach & Rockman 1976; Bertelli & Grose 2007, 2009; Clinton & Lewis 2008; Clinton et al. 2010; Maranto & Hult 2004). In other cases, outside political forces influence agency attitudes and

⁷I thank Matthew Stephenson for this insight.

⁸However, McCarty (2004) and Shotts & Wiseman (2010) argue in different ways that presidents might actually do better when appointing to agencies where removal power is limited, such as in independent commissions.

behavior (Bertelli & Feldmann 2007, Edwards 2001). Career managers also often feel bound by legal, moral, or professional norms that influence their responsiveness to appointee direction. These employees perform work of varying complexity and are embedded in agencies with specific cultures and routines that influence their responsiveness (see, e.g., Golden 2000, Khademian 2002). Information asymmetries between appointees and career employees are greater in some agencies than in others. When appointees do not know or cannot observe what career professionals are doing, agency behavior can be hard to control (Kaufman 1960).

How much appointees influence performance is also determined by the degree to which presidents control the selection of their appointees. If factors other than loyalty or competence regularly influence selection processes, presidents are unlikely to change policy dramatically. Bertelli & Grose (2009), for example, estimate ideal points for cabinet secretaries and find significant differences between the ideal points of these appointees and the president. These differences influence agency choices about where to spend discretionary appropriations.

Appointees and Performance

Too many appointees may also hinder control. Although a number of scholars identify key benefits to appointee management (Bok 2003; Maranto 1998, 2001; Moe 1985a,b), others argue that agencies that are overly politicized are not responsive because of a lack of competence (Huber & McCarty 2004, Lewis 2008). There are several reasons why too many appointees might hurt performance. First, appointees may have fewer relevant qualifications than their careerist counterparts. Political appointees are less likely to have subject-area expertise, public-management skills, and the insulation from politics necessary for both long-term planning and the cultivation of professionalism (Cohen 1998; Hecló 1975, 1977; Kaufman 1965; National Commission on the Public Service 1989, 2003; Suleiman 2003). Appointees have

higher levels of education, political experience, and private-sector experience, but these characteristics may be less important for agency performance (Lewis 2008). The alternative view is that appointees are systematically more capable than career professionals. According to this view, low government wages and government's lack of pay-for-performance salary structures push the best and the brightest workers into the private sector, from which appointees are drawn (National Commission on the Public Service 1989; see, however, Crewson 1995). Appointees also have systematic advantages as risk-taking generalists with connections to key stakeholders. These risk-taking propensities and big-picture perspectives act as a leavening agent for agency performance (Bilmes & Neal 2003, Bok 2003, Krause et al. 2006).

An increase in the number of appointees can also have a hidden effect on performance. Adding appointees increases executive turnover, since appointees stay for shorter tenures than career professionals. This increase in executive turnover can be harmful for performance (Boylan 2004, Hecló 1977, Mann 1965, Stanley et al. 1967). Although executive turnover provides option value for presidents (i.e., cycling through a larger set of appointees allows the president to learn valuable information about the whole group and sort them; Lazear 1995), it also can generate leadership vacuums, generates confusion about agency goals, and makes it hard for agencies to credibly commit to reform. Turnover also disrupts agency and program continuity by undermining institutional memory and hindering agency cooperation. When government is run by a transient group of strangers, management suffers (Hecló 1977).

An increased number of appointees in executive positions makes it difficult for an agency to recruit and retain the very best career civil servants (Gailmard & Patty 2007, Lewis 2008). It reduces careerists' incentives to acquire necessary site-specific expertise. This expertise no longer helps them get higher jobs within the agency, so they expend less effort to obtain it. As a result, in agencies with lots of appointees, not

only do the top managers possess weaker qualifications but the career personnel that work underneath them may be less competent as well. If appointees cannot implement the president's directions because of a lack of competence in their leadership team or a lack of capacity in their agencies, agency outputs will not change.

Emerging Issues

Among the emerging issues in this line of research, two attract particular attention. First, although there is substantial evidence that presidents can use appointees to accomplish policy goals, very little research examines whether presidents accomplish other goals through personnel. We know systematically less about whether presidents' electoral or political aims are satisfied through their appointments. For example, are persons given patronage jobs more likely to work for the candidate in the next election? Do interest groups or members of Congress whose appointment requests were honored by the president support the president more frequently (Rottinghaus & Bergan 2010)?

Second, there is an emerging consensus that appointees and careerists can and do work productively together (see, e.g., Aberbach et al. 1981, Dunn 1997, Golden 2000, Hecl 1977, Maranto 2005) but that a balance between appointees and careerists is necessary for optimal performance (Bok 2003, Krause et al. 2006, Suleiman 2003). As argued above, an excess of appointees generates management problems related to turnover, recruitment, and retention difficulties, and hinders the endogenous development of agency expertise (Lewis 2008). Too few appointees may leave an agency insular, parochial, and risk averse. Yet, we know very little about the tradeoffs and where the "sweet spot" is for appointee management, either to maximize the president's interest or to optimize some general form of agency performance.

CONCLUSION

President Obama has moved quickly to replace key departures and fill new positions created

by financial regulatory reform legislation. The president named Peter Rouse to fill in for the departing Rahm Emanuel, and he selected Harvard law professor Elizabeth Warren as a special advisor to oversee the creation of a new consumer bureau specified in the reform legislation (Calmes & Chan 2010). Rather than nominate Warren to head the new agency, the president appointed her as a czar, thereby avoiding a contentious nomination fight with Republicans who view her as unfriendly to banking interests. The Warren appointment particularly highlights how little we know about other types of presidential personnel strategies beyond traditional appointments.

While significant attention has focused on the creation and filling of Senate-confirmed appointed positions, less attention has focused on other ways presidents use personnel to influence policy outcomes in creative ways, as with Warren. Presidents have overseen the creation of agency-specific personnel systems that allow more flexibility for executives in hiring, firing, promotion, and demotion. To date, however, we know very little about when presidents push such legislation and how they use these authorities when they exist. Federal contract employees also comprise an important part of the federal personnel system (Light 1999). Because they are not under civil service laws, contract employees provide a flexible source of capacity for federal executives, and their employment may significantly affect the ability of presidents and their subordinates to influence public policy. Yet, few studies examine the use, responsiveness, and influence of these workers and their role in presidential politics. Presidency scholars who study appointments are familiar with different types of appointees, but most would readily admit to knowing little about special hiring authorities and how presidents use or do not use these authorities. For example, do presidents use limited term and limited emergency SES positions as de facto political appointments (Pfiffner 1996)? Many personnel officials would say yes, but few, if any, studies exist to validate these claims or describe presidential choices. Finally, the

selection of top-level career professionals is importantly influenced by political appointees. Although federal law and regulation prohibit the injection of politics into these promotion and assignment decisions, the executive DNA is effectively implanted in the civil service as well as the appointee class (Lewis 2008). The extent to which political considerations influence the core of the civil service varies across the executive branch, but few studies have attempted to systematically examine this variation.

These new areas of research complement ongoing research that is paying increased attention to measurement and theory building. Key sources of interest in the Warren appointment were whether she was loyal enough to Obama and whether she was qualified to run a new government organization, for which a law career may not have prepared her. Recent innovations promise to move the field forward, but more work can be done (see, e.g., Krause & O'Connell 2010). A consensus on how to measure key concepts, such as the loyalty and competence of appointees and agency outputs, would speed up the pace of research. One reason measurement has been difficult is that it is unclear what the unit of analysis should be. Are scholars to examine individual appointees in isolation or is a bureau, agency, or department a more appropriate unit of analysis? If Warren's appointment is accompanied by the selection of a seasoned manager within the Treasury Department, scholarly perceptions of the president's appointment strategy are likely to change.

The corpus of existing work has provided important descriptive, empirical, and theoretical insights for years to come. There is ample raw material for additional theory building.

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Significant existing research has focused on explaining trends such as the increase in the number of appointees, the increased focus on loyalty, or the increasing professionalization of the PPO (see, e.g., Moe 1985a, Weko 1995). Other recent work has focused on explaining variation within these trends (Lewis 2008, Rudalevige 2002). For example, it seeks to explain why appointments increase in some periods and agencies but not in others. It explains why some presidential transitions work better than others (Burke 2000, 2004; Henry 1960; Patterson & Pfiffner 2001; Pfiffner 1996; Weko 1995). Among the questions that remain ripe for additional theoretical inquiry, I highlight three:

- When do presidents weigh characteristics such as group representation or patronage considerations more highly than competence?
- What composition of a management team is optimal for performance, either in the appointee-careerist mix or in the skills mix of executives?
- Which agencies are the easiest to influence through appointments and which are the hardest?

These cases illustrate how difficult and important presidential personnel choices are for the presidency and the nation. The performance of President Obama's reshuffled economic team, White House staff, and financial regulatory team will have a significant influence on the functioning of the financial markets and the president's electoral fortunes. The importance of presidential appointments for American politics more generally ensures that this area will remain a robust and exciting area of political science research.

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Contents

A Life in Political Science <i>Sidney Verba</i>	i
Leadership: What It Means, What It Does, and What We Want to Know About It <i>John S. Ablquist and Margaret Levi</i>	1
Examining the Electoral Connection Across Time <i>Jamie L. Carson and Jeffery A. Jenkins</i>	25
Presidential Appointments and Personnel <i>David E. Lewis</i>	47
Understanding the 2007–2008 Global Financial Crisis: Lessons for Scholars of International Political Economy <i>Eric Helleiner</i>	67
Presidential Power in War <i>William G. Howell</i>	89
The Politics of Regulation: From New Institutionalism to New Governance <i>Christopher Carrigan and Cary Coglianese</i>	107
The New Judicial Politics of Legal Doctrine <i>Jeffrey R. Lax</i>	131
The Rhetoric Revival in Political Theory <i>Bryan Garsten</i>	159
The Rhetoric of the Economy and the Polity <i>Deirdre Nansen McCloskey</i>	181
The Contribution of Behavioral Economics to Political Science <i>Rick K. Wilson</i>	201
The Causes of Nuclear Weapons Proliferation <i>Scott D. Sagan</i>	225
Network Analysis and Political Science <i>Michael D. Ward, Katherine Stovel, and Audrey Sacks</i>	245

The Big Five Personality Traits in the Political Arena <i>Alan S. Gerber, Gregory A. Huber, David Doherty, and Conor M. Dowling</i>	265
Clientelism <i>Allen Hicken</i>	289
Political Economy Models of Elections <i>Torun Dewan and Kenneth A. Shepsle</i>	311
Modeling Dynamics in Time-Series–Cross-Section Political Economy Data <i>Nathaniel Beck and Jonathan N. Katz</i>	331
Voting Technologies <i>Charles Stewart III</i>	353

Indexes

Cumulative Index of Contributing Authors, Volumes 10–14	379
Cumulative Index of Chapter Titles, Volumes 10–14	381

Errata

An online log of corrections to *Annual Review of Political Science* articles may be found at <http://polisci.annualreviews.org/>