



SPECIAL PRESENTATION

“PRESIDENTIAL TRANSITIONS: FROM CAMPAIGNING TO GOVERNING”

PANEL 1: STRUCTURING A WHITE HOUSE LEGISLATIVE AFFAIRS OFFICE

WELCOMING REMARKS:

**SCOTT LILLY, SENIOR FELLOW AT THE CENTER FOR AMERICAN
PROGRESS ACTION FUND AND FORMER STAFF DIRECTOR OF THE
HOUSE APPROPRIATIONS COMMITTEE**

**DR. JAMES A. THURBER, DISTINGUISHED PROFESSOR AND DIRECTOR,
CENTER FOR CONGRESSIONAL AND PRESIDENTIAL STUDIES AT
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PRESIDENTIAL-CONGRESSIONAL RELATIONS***

FEATURED PANELISTS:

**PATRICK GRIFFIN, FORMER ASSISTANT TO PRESIDENT CLINTON FOR
LEGISLATIVE AFFAIRS AND ACADEMIC DIRECTOR OF THE PUBLIC
AFFAIRS AND ADVOCACY INSTITUTE AT AMERICAN UNIVERSITY**

**GARY ANDRES, FORMER ASSISTANT FOR LEGISLATIVE AFFAIRS TO
PRESIDENT GEORGE H. W. BUSH AND VICE CHAIRMAN OF PUBLIC
POLICY AND RESEARCH AT DUTKO WORLDWIDE**

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MR. SCOTT LILLY: I want to welcome you all to the Center for American Progress. We have a big crowd this morning and I'm delighted to see so many people that are interested in presidential transitions. And I want to acknowledge my colleague, Jim Thurber. This is the third symposium that we've collaborated on. I think in the previous two, we shared the work relatively evenly, but I have to say Jim did the lion's share of the work on this and I think he's done a great job. I hope by the end of the afternoon, you'll all agree that this is really a fine effort to put together the best people and the most interesting topics about transitions.

I'd like to make just a few brief observations before we begin and turn it over to Jim. Most scholars and practitioners of government have come to recognize that the most critical period of a presidency is the transition. We've had eight new presidents elected to office since Franklin Roosevelt was sworn in in 1933. And while the U.S. government has become dramatically bigger and more complicated, more positions to fill, more policy areas to develop within the transition period, the length of time has shrunk from 120 days on average under Roosevelt's transition to only 77 for the previous (sic) presidents.

So it's incredibly important that those brief 77 days be used very well. That's the period that will probably define the presidency, and I think that how we use that period is what we want to talk about today. It's in the interests of all Americans that the next president uses those 77 days to the utmost advantage. And our first panel is going to talk about how to set up an office of congressional affairs within the White House, and I think that's a very big first step. Thank you.

MR. JAMES THURBER: Thank you, Scott, and thank you to the Center for American Progress. It's great to work with you, Scott, and the Center. We had a forum, an all-day conference, on separation of powers a few years ago and then on oversight. The keynote speaker then was Henry Waxman, and it turns out Henry Waxman is doing a lot of oversight. I think we helped him with that, Scott. And today, hopefully, we'll help those who are looking at presidential transitions with some wisdom from academics as well as practitioners.

And I'd like to give you sort of an overview where we're going with this conference. You have the program, but let me just say that we'll start with the people's body of Congress, with the legislative office. And what we found in the literature on transitions, people talk about transitions, of course, very important in the defense department, homeland security now, in the national security area and now the economic area, but rarely do we find literature and advice about how we structure the White House Legislative Affairs Office and how the next president works with Congress.

There's a lot of statements in the campaign about that. Right now, there's a statement of – both candidates are going to change the way Washington works – change the way Washington works – change the way Washington works with respect to lobbyists in particular. Somehow, they're running these campaigns without lobbyists. Somehow, they're going to govern without lobbyists. I'm a bit skeptical about that and we'll address that when we look at the chief lobbying organization in the White House, the White House Legislative Affairs Office.

After that, we're going to have a panel of individuals that will talk about the first 100 days in terms of appointments, in terms of hitting the ground in the right way, building relationships with the bureaucracy, with the professionals in the bureaucracy as well as the Hill, what needs to be done. And we have individuals who have written extensively about this for several cycles and are part of the White House transition project.

The keynote speech is Clay Johnson III. He was executive director of the Bush-Cheney transition, which had fewer days than any other transition that we've seen because of the nature of that – the outcome of that election. He actually started that work in the spring and worked in a stealthy way all the way through, and it's really a model, to a certain extent, for transitions that he has a major impact on the transition now with this White House, and whoever is elected with this new council on presidential transition, which is meeting today.

And I should say that we invited Bill Timmons and John Podesta to come here today and understandably, I thought it was important to invite them and it wasn't surprising that both of them felt uncomfortable about talking about a transition before the election, but also they're meeting today with the council at this particular time, or a little later in the day, at the White House with this council on presidential transitions.

And then finally, we're going to end with a discussion of how do you work with a polarized Congress? Polarized Congress, what does that mean? It means that the endangered species these days on the Hill are moderates, especially moderate Republicans, and after this election, there will be more Democrats in the House and the Senate and it may indeed be the case that moderates continue to lose.

There were five moderates that lost in the Northeast, five in the Midwest, five in the West in 2006. This trend is likely to go on. Who gains power in this situation are the blue dog Democrats. They're 49 now. There may be as many as 12 to 15 more blue dogs in the House. How do you work with them as a new president in a divided party government situation with McCain or unified with Obama? And then we'll end with short remarks at the end of the day.

This transition will be 77 days. It will be 77 days after the election of the next president until that president takes office. The transition teams are already going, but there's an unprecedented vulnerability during this transition to the issue of the economic crisis that we're in. The transition during an economic crisis is combined with two wars

going on, in Iraq and Afghanistan, combined also with the phenomena in the area of homeland security of having terrorist attacks in democracies shortly after or before an election. It is not something that we should forget.

These challenges must involve Congress, and Congress is highly partisan. There's this missing middle. There's very strong chairs in Congress that have their own agenda and that sometimes disagrees with the Speaker of the House of Representatives and will disagree with the new President of the United States, although there will be a period of time that's a honeymoon, but the honeymoon period is really sort of overstated. There really isn't a honeymoon period frequently.

We have a fiscal crisis with the blue dogs very concerned about balancing the budget, a tough thing to do during this economic crisis. They'd like to have PAYGO stay. That's going to be very difficult if you add up what both of these candidates are promising. We see large deficits and a large debt. The debt now is over 10 trillion. A third if owned by foreigners. That's of concern to a lot of people, especially the blue dogs.

Now, the office that tries to help with this agenda when a new president comes in is the White House Legislative Affairs Office. We have two speakers on this next panel and we want to keep things as interactive as possible after their short statements because this crowd is full of people who have a lot of knowledge about this, who have been there and who have observed it.

But the two people that we have to speak are two close friends of my Center for Congressional Presidential Studies because they've been involved with my lobbying institute for many years.

To my immediate right, Pat Griffin is, in fact, the academic director of the Public Affairs and Advocacy Institute. We call it that, rather than the lobbying institute. I had a dean – not the dean that I'm going to introduce here in a second – say that he didn't like the word lobbying. I think it's great in a democracy, personally, because we have First Amendment rights. But he is the academic director of the Public Affairs and Advocacy Institute. He is a partner of Griffin & Williams. He's had 30 years of experience on the Hill with leaders and with committees. He also has worked in the White House as the head of legislative affairs for Clinton. He is also an academic.

Gary Andres, also a vice chair of Dutko Worldwide, has had experience on the Hill in the White House under Bush One, and as a lobbyist right now – there's nothing wrong with lobbyists in my opinion – and he's also an academic. The three of us have published on the topic and we will be publishing on the topic of the Legislative Affairs Office in the White House.

They will speak, but before we do that, I'd like to introduce my dean, Bill LeoGrande, who'd like to welcome you also. And let me tell you, my center would not

exist without my dean. So it's very important for you to give him a round of applause. (Applause.)

MR. WILLIAM LEOGRANDE: Thank you, Jim. As you can see, he knows a little bit about lobbying. Well, it's my pleasure on behalf of the School of Public Affairs at American University to welcome you all today. And I want to thank the Center for American Progress and Scott for hosting us.

The School of Public Affairs takes pride in bringing scholarship to bear on important public issues of the day. And one of our crown jewels is our Center for Congressional and Presidential Studies that Jim Thurber founded and continues to direct, and he's a distinguished professor of government, one of the highest ranks of faculty at America University. And I like to brag about it. He's too modest to brag about CCPS, but it will be celebrating its 30th anniversary next year, and over those 30 years, the center has organized literally hundreds of bipartisan forums and conferences on topics related to Congress, the presidency, American politics generally, conferences and symposiums very much like the one that we're going to enjoy today.

CCPS is a place that brings together scholars and practitioners, just as we're doing today. because the School of Public Affairs strives to bring an integration of what we know from scholarship and what only practitioners can bring to the table – the practical understanding of the day to day realities of engaging in the political process.

I was speaking with a former British ambassador just the other day and I was telling him about this impending conference, and he said to me he couldn't understand why it takes three months for the United States to change executives when in the United Kingdom, if the party loses the majority, the prime minister is out of 10 Downing Street over the weekend and a new prime minister is in charge of Parliament within a week. And I tried to explain to him that while we're a bigger government, we're more complex and so on, he didn't buy any of it, as you can imagine. He thought we were just inefficient.

Well, I wish we'd had this conference a week ago, so I'd have had a better answer to give him, be a little more convincing, but no doubt, over the course of today's conference, our speakers will answer that question and many, many more about presidential transitions. So I want to thank in advance all the participants in the Congress for sharing their expertise and knowledge with us. Thank you all for joining us. And with that, let me throw it back to Jim and the panel. Jim.

MR. THURBER: Thank you, Bill. I'll sit here for the panel. I have a very simple question. They both have some prepared remarks, but in them, I think they'll answer this question and that is, how do you best organize the White House Office of Legislative Affairs to hit the ground running the day after we know who the president will be? And what are the factors that influence the effectiveness of that office, both in terms of what you do inside the White House, but also what happens on the Hill? Let's start with Gary and then go to Pat.

MR. GARY ANDRES: Great. Thanks, Jim, and good morning, everybody. In thinking about the question that Jim posed, let me just lay out three or four different, I think, pretty big considerations that the transition team and ultimately, the White House has to think about in terms of organizing this office and managing its relations with Congress.

I think the first point I would make is that the tone you set is very important and there's going to be a variety of critical decisions related to how that tone is set right off the bat. Think about – if we fast-forward to the week or so after the election, there's going to be a series of well publicized meetings with congressional leaders, kind of talking about the future, talking about the agenda.

The question is who's in those meetings? What kind of tone do you set? What does the visual look like to the media and to pundits and to the American people? Who's invited to those things? Is it a bipartisan group of people? Do you bring in just your own party leaders? Do you include committee leaders, chairmen of congressional committees? All those kinds of decisions, who's involved in the meetings, really will set the tone for the next administration and I think it's really important to think about those things in terms of how they move forward.

Secondly, consultation on the legislative agenda is really critical. I think one of the biggest mistakes that people who run for the White House and then ultimately, win the White House make is that they don't assume the power-sharing arrangement that they're going to have going forward with the new Congress and that's a critical consideration that many people forget about. They think, well, we ran the campaign, we had an agenda, and now we're going to just go ahead and move that agenda forward.

It's really, I think, important to realize that Congress has an agenda too in our system of government. It's a system of government where there's shared power. And even though most of the focus during the campaign is on what would Senator Obama do, or what would Senator McCain do if they were elected president, there are going to be a lot of other players in the process that need to be worked with.

Third – and this will be true whether it's an Obama administration or a McCain administration – there's going to be a huge turnover in terms of the executive branch and one of the things that the White House Legislative Affairs Office has to be aware of is how do you manage that process because while we all like to think that new presidents and new White Houses can walk and chew gum at the same time, there are many, many demands, both in terms of moving the legislative agenda and in terms of getting people confirmed.

I'll just give you an example, which I think is a parallel to what we're going to see in January of 2009. In January of 2001, when we had the transition from the eight years of the Clinton administration to the current administration, you literally had all of the

political appointees move on in January, which included, in most agencies, the position of assistant secretary for legislative affairs.

The way most administrations work is that if you look at all the Senate-confirmed positions that are in those agencies, it's the assistant secretary for legislative affairs that tends to shepherd those people through the Senate confirmation process. They weren't around and they won't be around from the Bush administration in January.

So the new White House Legislative Affairs Office has got to think about going down two paths kind of simultaneously. You're going to have your legislative agenda, which you're going to be engaging Congress and working with leaders and committee leaders on, which is going to probably take up most of the time of the Legislative Affairs Office and the senior staff of the White House in terms of moving that forward.

Then you've got this other kind of massive project of getting your people confirmed in the Senate. And one of the things that I helped in 2001 with is kind of just focusing on that Senate confirmation process and moving people through the process and helping guide new appointees through the process. And I think that this administration is going to probably need to think about something like that going forward.

The final point I would make is that academic research shows that the presidents' period of time where they can be most productive with Congress is probably within the first year in office. So if either an Obama administration or a McCain administration wants to get things through the Congress, probably the very best period of time to do that is within the first year.

And while there's a lot of other complicating factors in terms of a new Congress, and them getting organized, and constituting committees and those kinds of things, which will mean that you're probably not going to really get into real legislative activity until about March or so, it's that period from about March until whenever they adjourn for that year which is going to be your best period to get things done.

That's when George W. Bush, in 2001, was able to get his tax proposals through, the No Child Left Behind, and really some of his most major legislative accomplishments were done in that first six months to a year, and that's going to be key here too. So as you're organizing your office, you need to think about that's going to be the time to really get things done.

And then finally, I'll just end with this point. I think one of the things that's going to be most challenging for a new administration is who they actually pick to run this office of legislative affairs. There's a couple of different types of profiles that administrations usually choose from.

I believe that often times, if you pick a person right from the Hill who comes from a staff position, his or her kind of perception among members of Congress is that they're still a staff person, and I think that in order to do this job effectively, you need to put a

person in charge of legislative affairs that can deal on a peer basis with the senators and the congressmen and not be viewed as below them as in a staff position. Staff are important and great, but I think the stature of who's put into this position is going to be very important. So I'll just end there.

MR. THURBER: Thank you, Gary. Pat?

MR. PATRICK GRIFFIN: Thank you, Jim. Thank you, Scott for inviting me to participate. And good morning to you all. I wish I had the benefit of this discussion before I went into the White House back in the '90s. So this is all for me a kind of a rearview mirror experience where your insights become more profound and clear. Too bad I didn't have them when I was scrambling every day in there.

The thing that most affected me in my mindset – and I would hope that this individual takes this job going forward – is really an appreciation of the systems of checks and balances that exist. We all know the obvious levers of power that are used and there are many that are not as obvious. I think the thing that was a constant struggle throughout my experience, and I would caution for the person going forward, is that the rivalry of power is the subtext of governing every day, who's going to win.

The motivations for this power balancing may change. Sometimes, it's power for its own sake between the Congress and the executive branch; sometimes, it truly is a battle of ideas, who has the better idea, even within one's own party; and sometimes, it's just survival. When one institution thinks that they need to control their destiny at the expense of their counterparts at the other end of the Pennsylvania Avenue, it always exists; it's permanent. I think it's most tricky when you have – it's there whether it's divided government or – but it's most tricky, I think, in a unified – when the governments are unified around one particular party for a couple of reasons.

One, I think all the reasons I suggested above, but I also think there's something unique to that. There's something about the expectations, that if I have control, if my party is controlling the White House, the House and the Senate, there are certain expectations that your constituencies, certain constituencies, care strongly about and are going to expect you to deliver whether you have the technical majorities to do that or not. And then I also think those expectations can be manipulated by your opposition in a way that could be tough to manage through.

But having said that, my little bits of advice to this person have something to do with kind of just attitudes about general – trying to position your administration for governing going forward and also some very personal pieces of advice or suggestions for their own well being.

The first thing I would suggest is don't be delusional in how you're interpreting the election results. You've got to have a cold, hard eye on how you won, why you won, where you won. You need to know also what your congressional party leaders think

about the election. They may not have the same interpretation as you do. I know that for a fact.

When you think back to '94, I know that the Democrats in the Congress did not have the same interpretation of that election as the president did at the time. There were different reasonings that were driving their interpretations that led to certain kinds of behaviors, especially right after it. And know what the opposition thinks the election was about, understanding what they think this election – why they lost the election, who lost it for them or where was it lost is really important. It doesn't dictate a strategy, but I think it helps make a strategy smarter.

Secondly, you might be alone in this as the director of legislative affairs. And it's going to happen sooner or later in the first 77 days or the next 100 is that you need to be – while everybody's preparing for the opening act, you've got to be thinking about act two. You don't have the luxury of just dressing up for that first – in football, it used to be that first hit. You know this is a long, long – I'm going to go on with this metaphor – it's a long game and it's at least four quarters, if you're lucky. Thinking about that, it may impact the priorities you all decide upon in the first 100 days or not. It might not.

But it really will impact, I think – or should impact – how you execute on those priorities, your needing to build relationships here. It always amazes me, the arrogance or ignorance in which administrations kind of launch. It never lasts very long because usually, they get their comeuppance in some form or another, but it just is mind-boggling that that is repeated over and over again.

I would suggest while you're doing your business that you build relationships beyond the conventional players or leaders. You might want them down the road. Work both sides of the aisle, and under no circumstances – even the cost of losing – do not mislead. And believe me, I've been on both sides of that.

Thirdly, don't misread or underestimate the power, the desires, the time horizons of your own party leadership. It is stunning, but these guys and girls have been around there for a few years, and if it's the Democrats in the wilderness for – they would argue eight years, and they have a whole bunch of ideas that they think are pretty cool too and would like to implement. It may not be the first one or two that come out of a campaign or a newly elected president, but there's going to be a lot of that they want to get done that they've been thinking about for a long time. They will have caucus tensions that might not be apparent that is a function of looking at how that election, who won, who is now in their caucus, who's pulling them in one direction or the other? Has the caucus become more liberal, more conservative?

And they have election cycles that you don't. Right. They've got – that two years is coming up on them pretty fast, and in the age of permanent campaign, they're facing it the day after the election. Don't be afraid to fight them, but don't be surprised when they retaliate, but it's survivable, survivable. Don't be afraid to admit a mistake, and above all, don't lose their trust in your word.

Now, I'm going to give just a couple of little personal quality of life issues that I would suggest or recommend that I did not fully appreciate and mistakenly fought for things, but they turned out to be the right thing.

If you're going the next legislative director, fight for real estate. This may seem petty, but keep that room in the West Wing. It's a cool place to be, but it's also an important place to be. A lot of what happens does not happen on the regular order. It requires to be around at any time, at any moment, to be available, to engage, to be able to see something coming around the corner real quickly. Being in the West Wing is important and there will always be rationales why the legislative director who really works on Capitol Hill should be in Virginia for some reason. I don't know.

Personnel – get a deputy that's as strong as you are. This job is big enough for four. And you're going to need that person to cover your back, to be where you can't be, to help you in the most sensitive ways. And Gary alluded to this – try to be involved in the selection of all the legislative affairs – assistant secretaries for legislative affairs in all the agencies. They're your team in some very real way as your administration goes forward.

Get as far upstream in the policy-making process and the strategy development as you can. Don't be just the guy or girl who's going to execute. You want to be really as far upstream as you can in thinking about what policies is the president going to embrace, and also in the strategy on how we're going to execute, which is rarely just a congressional strategy. It usually has many more components to it.

Let's see. Oh, this is one piece of advice that I didn't take very well, but I got wind of. In order to be a made guy in the administration, you've got to throw your constituency under the bus at least once to prove that you are of the White House. There's a tendency in all White Houses where the assistants to the president have different constituencies, whether it's the press, the governors, the mayors, the business community. And there's a particular suspicion of the director of congressional affairs that he likes them more than the president. So find an opportunity to throw them under the bus. You'd be a made guy and you'd be set. (Laughter.) Thank you.

MR. THURBER: Thank you, Pat, very much. A few words from me about legislative strategies of the president in 2009 in this office. The best position for a president is the following: a landslide for the person who's elected, coattails bringing a significant number of people into the House and the Senate, and you run ahead of most members in their districts and their states, high public opinion approval, and unified party government. Now, we haven't had that very many times in the history of the United States, and so, therefore, you have to worry about reaching out towards the other party.

So my advice to the next president, for the people in this office, is to systematically and in a positive way reach out towards the other party even though there will be a significant number of new Democrats, it looks like, in the House – some say as

many as 20. I think it's 10 to 15 and there won't be 60, I don't think. Maybe, Pat, you'll disagree with me, 60 Democrats in the Senate. It won't be a situation on some issues where they can bring about cloture. So you have to work with the other party.

Secondly, avoid senseless errors – avoid senseless errors and there have been a number of examples, books written about this, about senseless errors. Some would say the water wars of Carter at the beginning was using political capital in an inappropriate way, being pushed by environmentalists into that particular position. Clinton engaged in the military. It became a major issue at the very beginning of his administration and we can go through other presidents who've had these kinds of problems.

Next, act quickly on a legislative agenda. I don't think there are such things as mandates. I'm skeptical. As an academic, we need to be skeptical. I don't think there are such things as mandates out of elections. You guy may disagree when we talk about this, and I don't think there's honeymoons anymore. I think they're greatly exaggerated and yet, you need to move on your legislative agenda, I think, quickly and you need to decide what campaign promises are most important.

And we've got this situation where we've got an economic meltdown. A lot of legislation will have been passed, has been passed, maybe will be passed in a lame duck Congress to help stimulate it. We have two wars. We've got the problems with healthcare costs, quality, access and finance of healthcare. We've got a pent-up demand by a whole lot of people to do something about immigration, education, and then the biggie, cap and trade dealing with CO₂ and global warming. These things are there. There are people on the Hill that want to push it. You've got to figure out quickly, I think, before you're sworn in the most important promises.

Now, we know from the literature in political science that of the major promises of presidents from F.D.R. to present, about 60 percent of those major promises, there are attempts by presidents to implement those things. So you need to think about what's most important. And boy, are there a lot of promises by McCain and by Obama in terms of what they're going to do about the economy.

Divided party government, it's tough – and Gary, I'd say that part of figuring out working with the Hill is stopping bad ideas. You taught me that, that it's not only pushing your legislative agenda, but you need to figure out a strategy for stopping bad ideas, and I think that if it's divided party government. If McCain is elected, he needs to think about that also in his strategy working with the Hill. A unified party government is certainly easier in cooperation.

The issue that both of you brought up, I find is not discussed anywhere in the literature and it's rarely discussed by the practitioners. And that is how do you control the Legislative Affairs Offices in the agencies in terms of how do you get them appointed; then later how do you control them? I know that, Gary, I think you instituted a weekly meeting of the legislative affairs people from the agencies to try to coordinate things, but how do you do it when there isn't anybody in the agencies? Who do you

work with – senior executive service people that maybe know about the legislative relationship?

It seems to me that that's a black hole that could be a problem because maybe some agency heads will move their own agenda without it being coordinated in the White House if you're not careful. That happened under some presidents. I won't go through that.

Gary, Pat, you appoint your people; you have tough people; you have people of stature in the White House, but then, how do you deal with appointing people quickly and early in all of the agencies to handle legislative affairs?

MR. ANDRES: Well, that is a key challenge, and I remember from my days at the White House – and we would have these meetings where we'd bring all the agency legislative affairs people together. And I think the thing that sometimes people don't appreciate is that the White House will have two or three kind of big things that they're working on, and all the machinery of the White House, if it's working right, tend to be focused on those two or three things. So you've got your press strategy; you've got your Public Liaison Office; you've got your policy people and your legislative people, all kind of hopefully pulling kind of in the same direction on those two or three things.

What would happen sometimes with the agency people is that, as Jim mentioned, they would have their own agendas and so, we'd sit around the table in the Roosevelt Room and somebody from the interior department would say, well, we think it's really important to push this idea that we have on enhancing the domestic uranium industry. And we'd kind of look at them like they had two heads or something like that. It didn't make any sense in terms of where we were kind of in our world.

So what I found was that the best agency legislative affairs people figured out very quickly what the top priorities were of the White House and somehow tried to take their expertise and agenda and fold it into that to some extent. That made them very relevant to the White House.

So for an example, if you were working on a big trade matter, instead of the agriculture department talking about price supports or something like that that they wanted to reform, the agriculture department would come to the White House and say, let me talk to you about how we can help you on your trade agenda by promoting – or by bringing our expertise to bear on agriculture exports or something like that.

And I found that if the people at the agency kind of got the White House agenda and tried to fit into it, they made themselves very relevant. The flip side of that is how do you get people to do that at the agencies? And I would recommend that it's kind of a carrot approach where I think you kind of send the signal to them early. If you want to be relevant to the White House and be part of our team, then figure out a way that your agenda kind of fits into ours.

MR. THURBER: Pat, before you go, do you remember me? I came down and visited you. You invited me down in the White House in the Clinton administration, and I remember you mentioning – and I won't mention the secretary of a department – you were saying, boy, that person is really going native, that's really a problem. How can we control that person and the legislative affairs operation? You didn't say it exactly that way. You were a little more glib.

And that stems sometimes by making appointments to agencies of people by the president for certain representative needs, political needs, and so you get into this constant fight with these people and with the legislative affairs people. They become like your enemy and that's the way I perceived it when we were talking about – you don't remember, but I do. I was very poignant.

MR. GRIFFIN: I can't imagine ever saying that.

MR. THURBER: Right. So in that, as you go into the fourth quarter in this long game, these people started to go native a little bit. Isn't it important to sort of control these legislative affairs people?

MR. GRIFFIN: It's essential, and as Gary has said and you are suggesting, Jim. I think there's a difference though. In the first 100 days and then the transition, the good news is that there is no one out in the agencies really to be competing with you. All the policy initiatives are really going to be emanating from the new president's immediate advisers. So that is a moment where there's no opportunity for gamesmanship at that moment. It's all about the president, all about his initiatives.

However, over time, I think one of the ways that we were suggesting is that you play a critical part in getting those people in those jobs. I think that happened in the Clinton administration, how it passed. It was the first legislative director. He did a good job in doing that.

And then the other piece which I think is really important over the long haul is having a president who is making it clear how he wants business to be done as a general matter, and two, having a strong chief of staff. Your power is only derivative to those two folks. If they are blessing you and they are acting in a way that is demanding that kind of central control, it will be a lot easier to operate as a specific matter, rather than as a general proposition.

The other thing I think when it got really tough for us is when we had unified party control, we were all kind of pulling in the same direction. There was a moment when the Republicans took control of the Congress, I know, I could see it in the eyes of our cabinet secretaries, they were calculating whether I can make a better deal with the new chairman than I can with the president. That was a moment when we had to regroup and assert our authority. We had the same program. We met weekly. We expanded that weekly meeting to make sure everybody was on the same page and not kind of freelancing on Capitol Hill.

MR. THURBER: That last point is important. It's about trust. Both of you sort of talked about that. If you get somebody of great stature, Gary, you said they have more gravitas' they have more power in that office. But I've heard both of you say that after a while, when you bring bad news back, let's say about maybe healthcare reform, about – sorry, Pat – in terms of where the votes are and your deputies are over there listening to people, is there then a problem of trust in the White House with this operation? And do you sometimes – not you personally – but the does the office get marginalized when you're bringing back bad news and they say, oh, they're from the Hill. They're too close to the Hill. Is that a problem?

MR. GRIFFIN: Well, if it's not carefully handled, yes, it is a problem. If you, as a creature of the Hill, are somewhat blind to the cross-pressures on the president, the cross-pressures on the chief of staff, and you just want to unload your bad news of the day, chances are they're going to have more bad news than you will and you're not going to win that discussion. So I think you have to be smart about it. You have to be results-oriented or solution-driven, not only coming in there with the problem. You also have to have some idea about how to address the problem.

But it's a tough job in that regard. Nobody wants to hear bad news all day long and again, you're a big source of it, potentially, but you're only one source of it. The president has a lot of inputs coming in that may be challenging to him, whether it's the economy, natural disaster, a war, interest rates, whatever. So you have to kind of factor in and not be so self-centered in your responsibility that you can't be at least – where you do it in a way that people do not listen to you anymore.

MR. THURBER: Right. Gary?

MR. ANDRES: Well, I was going to say to Pat's earlier point about expectations, I think that's a key consideration. I had the opportunity to work in the White House in Bush 41 when we had a Democratic Congress, and I was over there helping with the confirmation process in 2001 with this president with a Republican Congress. And what I would say is that I saw vastly different expectations – and I'm not saying that one was right or the other one was wrong – but I think in the Bush 41 administration, we kind of expected bad things to happen with a Democratic Congress.

And there was a famous line – I don't know if any of you remember – John Sununu, the chief of staff at the time was asked, what do you want Congress to do or what do you expect Congress to do? And he said, nothing, and everybody kind of jumped all over him and said well, Bush doesn't have a legislative agenda or whatever. What he was really saying was that most of the things that they're going to pass, we don't like, so we'd rather have them do nothing. So the expectations were pretty low.

I'd say you had kind of the complete opposite, and probably went almost too far in Bush 43, where I think the expectations of the White House staff was that with a Republican majority, they're just there to transact your agenda and that wasn't the case.

These are, as I said in my remarks, these are two separate institutions that share power, and I think that somehow those lines got blurred a little bit, and the expectations were much, much higher in 2001, and probably out of whack, or they should have been, in terms of what Congress was willing to do based on what the president was asking.

MR. THURBER: Well, we've got the policy agenda that you're pushing, but you also have the confirmation process, and it's getting slower and slower in terms of background checks and the confirmations on the Hill. There are only 30 people in the national security area that were confirmed when 9/11 occurred. There was a vacuum to a certain extent at the appointment level.

What advice do you give the Office of Legislative Affairs for improving the relationship with the Hill to make it more efficient to appoint people to these key positions, especially national security positions but others too, and now in Treasury and other areas?

MR. ANDRES: The one thing I would say – and I kind of alluded to this in my remarks – is that I think the whole confirmation process in terms of the White House apparatus is vastly kind of underestimated. I think that once a new president comes into office, they kind of think about their legislative agenda; they think about how they're going to transact their campaign promises and things like that, and the confirmation process is kind of an afterthought. And so I think kind of raising the recognition level of it, awareness level of it, to a higher point so that you realize that the time and the resources that need to be devoted from the president himself is important.

And I think the other thing that I would note is that sometimes, we think about these things kind of on two tracks when they really are integrated. I was constantly amazed at how the confirmation process, and the deals that had to get made to get people through, were intimately linked with the legislative process. And I think that's very kind of underestimated kind of point in the way that there's horse trading and things like that that go on. So that's an important point that needs to be considered as we go forward.

MR. GRIFFIN: I just want to make one quick point – and Gary and I, I guess we wrote about this a few years ago – I think elevating it is really key. The horse trading that goes on, talk about a part of the system of checks and balances that can go really awry, it really is embedded in that process. I think if the president met with the party leaders of both parties right out of the box, were able to identify some parameters of critical appointments that would be permitted to move through in a timely and responsible way, I think the whole process would be better served.

I think there are too many appointments that would make – to ask for that more broadly, but I think there are some that are critical to a government under any circumstances and are critical to a government in crisis or confronting two wars and an economic meltdown. So I would hope that the president does step into it, not see it as business as usual and that in this one small way, that there's an expression of

bipartisanship that kind of transcends the battles that are likely to come on every other front.

MR. THURBER: Pat, you mentioned working with the party leaders. You worked for party leaders and Gary has also. You worked with committees. Isn't it up to the party leaders in the Senate as to whether the committee leaders take the lead on this thing or not, or whether they're going to centralize this thing? And frequently, in the Senate on these confirmations, the chairs are most important. How do you get the party leaders to come along with you, and can they really push the committee leaders to go along with the agreement?

MR. GRIFFIN: I think you're putting your finger on a tension that transcends partisan – it doesn't matter whether it your party or the other party in control. It is an opportunity where particularly Senate chairmen have some leverage of power. But I think, again, in a situation, particularly now, when we're on a war footing, both economically and internationally, that business as usual is not acceptable.

And I think it's a plea to the country and to the party leaders of both parties to act differently in that one narrow regard. And I think the rest of it, the business as usual will obviously flow, but I think we have to – the president is the only that can do that. The director of legislative affairs does not have the standing to even make that case.

MR. THURBER: Gary?

MR. ANDRES: Yes, I'd agree with that. I think some kind of a framework upfront would be very helpful. Again, I saw example after example after example where people, for Senate-confirmed positions, were held up in the process – nothing to do with either themselves or even the position. It had something to do with a piece of legislation that a senator wanted favorable consideration on from the administration or whatever.

So there were all these kinds of side deals and side considerations that tended to get the process all mangled up. That's always a problem when you're confirming people for the Senate. I think it's going to be particularly a big problem this January just because of the massive amount of turnover that you're going to have.

MR. THURBER: But isn't it different when there's a crisis and there's a perceived crisis of consensus about the crisis, especially right now with the economic crisis? Doesn't that give the new president a little more power in terms of pushing people through, especially on the economic side, but the national security side, that they can do it a little more effectively and they are not going to play the games of, well, we want to reorganize an agency, or we want this legislation through, or we want other some kind of appointment? Doesn't it sort of cut through that when you have a crisis?

MR. ANDRES: It does, and the only caution I would add to that, or caveat I would add to that, is that you can kind of overplay that as well. And if everything has to

be done right now because there's a crisis and if you don't act, the world is going to implode tomorrow –

MR. THURBER: Like the market may fall 1,000 points or something.

MR. ANDRES: Right. Sometimes, members of Congress will get a little bit leery of that and so you have to be careful of how you use that.

MR. GRIFFIN: I think as a general matter – I don't think in recent history there's been a president taking office under similar circumstances. I think in that system of checks and balances, again, as a general matter, I think it gives – for a creative or a thoughtful president, it tips the balance in his favor, and I think that has definitely been the case in the last administration.

Being on a war footing clearly gave President Bush, under enormously adverse circumstances, continual ability to get the Democratic Congress to do what it wanted. Now you compound that with an economic crisis. Again, I think Gary's caution is absolutely right. As long as it's not overreaching and there's a soundness and a saneness in it, I think the next president could create the same kind of framework and make reasonable demands in this regard.

MR. THURBER: To put it historically, it's been 40 years since we've had a transition during war. That was Vietnam. And we have not had two wars and an economic crisis at the same time during a transition. So it's very important to think about that during this transition. The advice from academics, but also those who have been in the White House, is that you should have a very strong chief of staff, two strong deputies. We've seen what happens when you don't have that. Should the chief of staff hire the head of legislative affairs?

MR. GRIFFIN: My experience is that chiefs of staff had brilliant insights in hiring legislatives. Yes, I think they need to be involved in putting together the president's immediate advisers, and I can't imagine it happening any other way.

MR. THURBER: Right.

MR. ANDRES: Yes. And a kind of a corollary to that is that a smart chief of staff and a smart president will empower who ever is in this position. One of the things that I saw over and over again is that a senator will call – he'll make the first call to the president; his next call will be to the chief of staff; his next call will be to the head of legislative affairs; and his next call will be to the Senate deputy. So if you're the Senate deputy, you might be kind of fourth on the list. Well, if those phone calls get returned by anybody kind of above you in the food chain, they're not going to deal with you going forward and that's true for the head of legislative affairs as well.

If the chief of staff is constantly dealing with the Congress or the president's talking to a congressman directly without your knowledge, or without you setting that up,

they're going to just go to him all the time. So I think it's important for the president and chief of staff to say very early, this person, who ever is in this office, speaks for me, they deal with you, and when they speak or you talk to them, it's the same as talking to me. And that's an important message to send.

MR. THURBER: This office was established by Bryce Harlow. The organization and structure of it hasn't changed very much, and in fact, there was another head of legislative affairs that opened the drawer in the desk and said, there were some kind of initials in there from somebody from three, four presidents before that, the same offices, the same structure in terms of the way you deal with the House and the Senate.

You both have been there. You're out of it. How would you assess that structure and organization? Should you change it? Is it a good structure? Tell us a little bit about the structure. I think a lot of people don't know how lean and mean it is and how people are arrayed. Tell us about the structure.

MR. ANDRES: Well, you have an assistant to the president for legislative affairs, a House and a Senate deputy, kind of an inside deputy that deals with a lot of the paper flow in the White House. The Legislative Affairs Office is one of the two or three offices in the White House that sees every piece of paper that goes through, whether it be a speech or an executive order. Any communication that goes out is reviewed by them. There tend to be four to five special assistants to the president on the House side, the same number on the Senate side, who are your kind of day to day foot soldiers on Capitol Hill.

I think the structure works pretty well. I think the challenges, some of the challenges that Pat laid out are really true. I'm not sure exactly how you could maybe improve those through structural change, but this whole idea that are you part of the White House or you're part of the Hill? Where do you spend most of your time? How involved are you in the upstream of policy development?

A lot of times, one of the reasons why presidential legislative initiatives don't sell on Capitol Hill is that the people who know the most about Capitol Hill aren't involved in the policy development, but if you're involved in policy development all the time in the White House, the people on the Hill start asking the question, where are you? We never see you. We never hear from – so it's a real tension and a real balance that you have to find in terms of kind of having a foot in both camps.

Bryce Harlow, who set up the office under Eisenhower, called it an ambulatory bridge across the constitutional divide, and I think it's a very good statement. You tend to walk around a lot when you're in that position between – walking around the White House and walking around the Hill.

But finding that balance is really key because you do want to kind of set up this two-way dialogue where you're not only advising the White House on a kind of a real-time basis what's happening on Capitol Hill so they don't kind of go in the wrong

direction, but also advising the Hill where the White House is, so that they're not caught off-guard by the president deciding he's going to pose something or veto something or send something up that they have to oppose.

MR. THURBER: Pat, besides not having interns in the office, what other advice would you give? Sorry. I had to do that.

MR. GRIFFIN: Most folks don't know what you're referring to.

MR. THURBER: Okay. All right.

MR. GRIFFIN: I think the one thing that I would add – and it's kind of a joke but it's a sad joke – is that inevitably, it seems that a tool of the opposition, whoever it is, is to rely on some type of scandal as a tactic or a strategy in limiting the power of the presidency. And I don't think this began with the first Troopergate and whatever else, Travelgate and those kinds of things.

There was a strategy back when I was working for Senator Byrd and the House and the Senate were attempting to use problems, personal and otherwise, of the Reagan administration and tried to keep them distracted in responding to those things. It seems to me that that is becoming a refined art and that the problem for the Congressional Affairs Office is whether or not that should be handled there or whether there should be an office of scandal affairs, and affairs. (Laughter.)

But we tried to handle that within our congressional affairs and we found that increasingly, it was difficult to talk about anything else except what was on the front page or in the headlines or what the opposition was alleging, and that you had to then move that business out whether it was in the general counsel's office or some other independent office, but it seems to me that it's inevitable and it directly impacts your ability to do work on what you think you went there to do.

MR. THURBER: One last question before we go to the audience. We're writing a paper on this together that will be on the White House Transition website and published later. And in doing this, I looked at the decay rate or the turnover in the office. It's a huge turnover in all presidents. What's going on there? Is it just that they begin to not trust you, or you get burned out or you see other opportunities? Not you, but the people there. Are there opportunities to go into the private sector? What's going on with this revolving door and short terms of people in the entire office of legislative affairs?

MR. ANDRES: I would point to kind of the burnout factor more than anything else. The job is – the hours are just kind of killers. And if you're married and have a family or something like that, you just don't – you really don't see them very much during that time. It's kind of like going off to war or something like that. So I just think that takes a toll after a while and people need to do something else.

MR. GRIFFIN: And I think it's quite remarkable. You never really leave the job. I remember my family saying, you're back at the office right now, and I'm looking right at them. You're just gone. I remember having – we didn't have Blackberries then; we had pagers. I had phantom buzzing on my side for like a year, constantly being called and reaching for something that wasn't there. It really is quite consuming.

MR. THURBER: The last question is a little edgy. Both of these presidents say that they're not going to have lobbyists in the White House. Mr. Daschle is not a lobbyist, but he's not growing corn on Vauxhall Road down there. He's an advocate. He sets up strategies for advocating. It's a technical thing, whether you're a registered lobbyist or not. It is frequently the case, if you look at the revolving door out of the White House, legislative affairs shop that people go directly into very large lobbying firms. Is that a problem for our Democracy as Obama and McCain say it is?

MR. : Sorry, I told you – (inaudible) – they both left and went into lobbying firms, by the way.

MR. ANDRES: You know, I think that – a couple of different things. I think number one, I think one of the problems with the whole debate about lobbyists just gets back to kind of the definition of lobbying. So I tell people if you're engaged in direct lobbying, the kind that would cause you to register, you're a lobbyist. If you were to be involved in some other kind of advocacy activities, whether it would be grassroots or whether it be advocacy advertising or whatever, you may be trying to influence the process just as much, but you're not considered a lobbyist. So I don't know if this means that people who come from the realm of advocacy, but not direct lobbying, are now going to be more of the candidates for these positions, so I think that's one thing to kind of watch for.

I think the other thing is that it does – and anytime you kind of put those kinds of limits on things, there are a whole bunch of artificial lines. So if you work in a lobbying firm, I guess you can't work in the White House. If you work at a law firm and you're a registered lobbyist, you can't work at the White House, but if you work in a law firm, but you don't lobby, you do other things, you can work at the White House. It seems a little bit silly and arbitrary.

MR. THURBER: Before Pat goes, I want to say that Gary has a new book on lobbying from Prentice Hall. It's excellent. I want you all to go out and buy it for your relatives, your Uncle Fred, whoever. He defines what lobbying is in there, and lobbying – he and I agree on this – it's a very broad definition beyond actually who is a registered lobbyist. There are a lot of people in the business beyond the 30,000 that are registered on the Hill.

MR. GRIFFIN: I think most people who get a job in the White House as director of legislative affairs, or assistant to the president, or special assistant, probably had relatively successful careers before they got the job. They didn't just kind of arrive and

now they're – if they don't lobby, they're going to be destitute. They've probably been doing pretty well already.

But I think the lobbyists' argument or discussion that's going on in the presidential race is, at its core, political. I think there are some underlying issues that are legitimate and need to be addressed, and I think there are ways of addressing them, whether it's about access and money, or whether it's about transparency and a cooling-off period after you leave government, not being able to work on certain issues if you come from an advocacy role of any sort.

I think those are legitimate issues and I think they need to be fully examined. They can always be improved upon. I think sometimes, when it becomes a totally political argument, the solutions really are not matching the issues. They become distortions and caricatures. So I think we've got to find some real balance in this, but I think there is some concern. I think we need to continue to monitor a revolving door kind of dynamic. I think there are ways to manage it. But that's different than embracing all of this debate that's going on from either camp about the evilness and –

MR. THURBER: Personally, I think it's disingenuous for them to make this argument when you look at who's on the campaign, who's giving them advice on the campaign. They may not be registered lobbyists now. They have been in the past. They may never have been, but they're in the advocacy business, and your definition of political in my mind is it's a populist argument. Eighty-one percent of Americans in a recent Pew Research Center poll think that lobbyists commonly bribe members of Congress – 81 percent. Seventy-four percent in the 2006 election felt the most important thing that were motivating them to vote on was scandal related to lobbyists.

And I've looked at these data overtime. It hasn't changed that much. It's amazing. So I think one of the reasons both of these reformers and lobbying reforms, ethics reforms on the Hill have used this is that they sort of wanted, quote, "clean it up," but they also find that there's a populist response by the American public to their criticism of lobbyists.

Let's go to the audience. We have 20 minutes for questions and comments. Sir, right here. Could you wait until the microphone gets to you? And could you please indicate who you are, your name and your interest in this and the question?

Q: Bob Weigert and I'm with Prudential Financial. Pat and I go back a long way. Quick note – we remember what happened when Jimmy Carter brought in a head lobbyist who had no experience and they went off in the wrong direction and never got back.

Pat, I wanted to ask you about what I think is the model for a legislative transition and that was what Johnson did after the '64 campaign. Remember, he appointed Bill Moyers as head of a bunch of taskforces and they reached out to the Hill. I remember particularly the Medicare taskforce when they brought Rostenkowski in very early to help develop the Medicare proposal, and the same way with what became the Title One

legislation. And that seems to me to be the model for a very effective legislative transition and maybe you could talk some more about that because I think people need to understand that.

MR. GRIFFIN: Well, I agree with you, but I think that inherently, it is smart to reach out. I think all administrations – not all – the administration that I worked for probably wasn't its strong suit in its first couple of years in terms of trying to get its first initiatives off the ground.

I think that will be a challenge for the next administration as well. And I could speak – if it's an Obama administration, where you've been politically kind of positioning yourself as the outsider, and not relying on congressional signals, it may require a little extra effort to kind of pivot back and build whatever infrastructure it takes to do that.

I think, again, the president is in a unique position no matter what happens. If you win by a blowout or you eek it out, he's got a good 100 days to make something happen. Building it over a long haul really requires what you do with your colleagues on Capitol Hill in the front end, and I would encourage any of that, in any fashion, sooner than possible. My fear is that that's not where they go to build their initial initiatives, to finalize their initiatives, coming off of an election, and particularly, if it's won by significant numbers.

MR. THURBER: Pat, using the L.B.J. example, Moyers, didn't he have a lot of political capital compared to anyone since then, or even Reagan's first election? He had a landslide,. Coattails ran ahead – most members brought a whole lot of new members into the House, high public opinion approval, united party government, but also he had chits, political capital from when he was a majority leader that he used. That helps. You can have these groups, but you've got to have political capital too behind what the groups come up with, even if they're talking with Rosty (sp).

Q: (Off mike) – capital just by reaching out.

MR. THURBER: Yes, and he knew that because of his relationships with members of the Hill for many years. That's unique.

MR. GRIFFIN: I think the relationship building is – again, it seems like the soft science of politics, but again, in terms of being prepared for the second act and the third act of an administration, I don't know how – and then the unanticipated, that is whatever – something's going to happen that you didn't expect to happen.

Those relationships become the margin of, I think, the difference of either successfully maneuvering through them or not. But they are not well received, particularly in the first 100 days when everybody's coming in with this big momentum, either that we're faking it and we have a mandate or we really do have a mandate and that really isn't the first consideration.

MR. ANDRES: And I think the other thing that Johnson understood was that there's a rhythm and a sequencing to Capitol Hill. You can't just put 10 ideas together, throw them all up there and hope for the best. Congress kind of works at one thing at a time and that's the only way they can do it.

So I think part of the job of the next president is to be able to educate the American people a little bit about how that framework fits in with what just happened, and if it's an Obama presidency and a lot of people are expecting change, and a lot of change quickly, they may get change, but it's just not going to happen maybe as quickly as a lot of people think. And that's going to be a challenge to manage those expectations and to pick out your three or four priorities, work them sequentially on the Hill, while building those relationships.

MR. THURBER: This rhythm and sequencing is important. Think about what Reagan did with his first budget and David Stockman did with that budget. It really influenced for eight years and he got that thing together by February 13th. And do you think that therefore, it's important for transition teams to think about what's going on with the budget now, and that should be a key thing – one of the first things he will do is send the budget to the Hill?

MR. ANDRES: Yes, and I think that that becomes an even more complicated game of chess because of what's just happened in terms of some of the financial crisis initiatives that they've taken. So on one hand, you're going to have a huge demand for change and legislative product; and on the other hand, you're going to have some very painful choices to make in terms of the new budgetary situation. So I think those two things just kind of smack up against each other and that's another kind of expectations game that's going to have to be managed.

MR. THURBER: Let's take another question. Please, right here. There are many American University students here. They pay a very high tuition and I want them to have a chance to ask some questions. So, sir.

Q: My name is Zach Fang (ph). I'm a student at American University. And I was wondering – I know the president, and we have a recently elected governor from my State of Maryland, had a big transition team, but do newly elected congressmen and senators have to go through the same transition process? If you could go into – if they do – a little bit more into that?

MR. ANDRES: No, there's kind of an orientation program that they go through that's really just a week or two long. I know the J.F.K. School at Harvard does something for members. They don't have to go to it, but a lot of them do go to it, and they kind of talk about the job of being a congressman. But no, it's an interesting point because I think that there are some orientation-type things in place, but nothing like the kind of transition that we're talking about here.

MR. GRIFFIN: One of the things that does happen though is that if there's a – if one party takes control that wasn't in control before, that requires a certain kind of reorganization in terms of who's running the party, what's the party's agenda, all those kinds of things. So from a party perspective, everybody's going to be looking at that election and deciding what it means for them. So if you're a Republican in the House or a Democrat in the House – in the Senate, there's that kind of shifting, but that's not – as Gary says – something that everybody does.

Secondly, there's a big thing that happens – and it's going to happen in November 17th or 18th in both the House and the Senate – is that they're going to elect their new leaders, or they're going to elect their leadership. And that – usually it's routine and the mantle remains where they are, but sometimes, those leaders are challenged and there's change and that could shake up a party and then that will require a rethinking about how things are going to operate, what the agenda is going to be, et cetera.

MR. THURBER: But to answer your question about a freshman coming in, my center received a grant back in 1980 to write a book called *Setting Course: A Congressional Management Guide*. And we did this for three editions, and eventually, we did it with the Congressional Management Foundation, which is a very fine institution. We were involved in helping them set up offices, and there are various models for setting up offices. We did some training.

It wasn't Harvard where they have a big globe and say, this is Iraq. We actually told them how to organize – that was supposed to be a joke, but whatever – (laughter) – organize the office so they could run it and get reelected. And it was very effective and eventually, the Congressional Management Foundation was established. They're doing a fine job in doing this right now for people coming in. Next question. Let's go back here in the middle, please.

Q: Brandon Souble (ph) with the Center for Community Change. This question is for Dr. Thurber. You said something about avoiding senseless errors. I was just wondering if you could elaborate on that, just talking about what kind of errors are senseless and how you can avoid falling into traps like that.

MR. THURBER: Well, sometimes you don't know when something is coming along that's senseless, and it may be as simple as not asking the speaker of the House of the Representatives to ride with you from the Hill to the White House, or it may be something that is driven by a constituency group that pushes you, as it did with Carter - in my opinion – into an area using political capital on that, rather than some overriding issues, or it may be the question of gays in the military, answering a question about that particular situation and getting involved in that.

It's very important, but if you're coming into office, it wasn't the most important thing in the Clinton administration. You have to be sensitive, in my opinion, to the sensitivities of members of Congress; go out of your way to court them and don't insult them through mistakes. Pat and Gary probably know of many cases where it was a

senseless error. It was an oversight, and it screwed things up in terms of the political capital for the president. Can you give me a couple of examples? Can you think of them?

MR. ANDRES: Sure. It could be something as mundane as we were on a presidential trip once to a member of Congress's district. The two senators from the state were there, along with the member of Congress. And a senior White House official – who will go unnamed – came out and asked the two senators if they wanted to come and meet with the president before he gave his remarks, and didn't know that the other gentleman in the room was a member of Congress from the district and just walked off with the two senators and left the congressman standing there. He voted against us for about the next three months as a result of that. (Laughter.) So that's, I think, an example of what Jim was talking about.

MR. THURBER: There's also Newt going to a funeral in Israel and being forced to get on the airplane on the back door which certainly insulted him. You were there.

MR. GRIFFIN: This was a considered act.

MR. THURBER: Oh, okay.

MR. GRIFFIN: This was – it was a very interesting story. The speaker wanted time with President Clinton. They thought – he thought he and the president could work out a little budget deal and we weren't convinced of that. We thought the deliberations had to be more transparent and involve more than those two folks at any one time. So he flew over in Air Force One on a 14-hour flight to Rabin's funeral and didn't have a chance to talk to the president. He was getting frustrated about that, so he thought for sure on the way back, there would be a conversation.

Well, when we got back – on the way back, there was a conversation in the conference room on Air Force One, which is pretty kind of cool, but there wasn't any alone time, so the speaker's temper was kind of getting riled up.

And what happened is that it's a matter of protocol. The president goes off the front of the plane and after he goes off, you can get down the front steps or you can go out the back steps right away. It's kind of like the shuttle. You can go out the back or whatever. Well, he was convinced that this was part of a deliberate – now, we were being deliberate in keeping him apart from the president up until that point, but we were not deliberately trying to insult him, but he took great umbrage and made the whole issue about that and we just played into it by shrugging our shoulders. We said, we have no idea. He must very emotionally upset about these things, and we just kind of fed that temperamental part of him, which became part of a larger plan as a general matter.

MR. THURBER: So it was not a senseless mistake?

MR. GRIFFIN: No, no, it was very deliberate.

MR. THURBER: Okay. All right. Good. (Laughter.) Another question from someone. Yes, right over here. Sir.

Q: Hi. I'm George Gould (sp) and I'm with Gould Consulting. Back to the advocacy issue – you notice I didn't use the other word – when the administration reaches out to organizations and entities to support their legislative agenda in the past, how did you do that? How did you accomplish that? And how do you think that's going to change with all of this negative discussion about lobbying and people representing those organizations? How are they going to interact with them? I can't imagine them not interacting. How are they going to deal with that?

MR. THURBER: Let me put this in another context also to reinforce it. How in the world can you get an agreement on Social Security and Medicare without having AARP at the table?

MR. ANDRES: Right. And why don't I – just from kind of a structural standpoint, one of the things that most modern White Houses have had for a while now is something called the Office of Public Liaison, and what the Office of the Public Liaison is, as its constituency, whereas the Legislative Affairs Office may be the Congress, the constituency of public liaison are various kind of outside groups. And I think in the best kind of operations, there is a very close coordination between the Public Liaison Office and the Legislative Affairs Office in terms of the Public Liaison Office kind of organizing, mobilizing groups, providing them with information that's shared by the Legislative Affairs Office.

So when a big vote would be coming up, for example, the Legislative Affairs Office would be passing information about members who are on the fence or whatever to the Public Liaison Office and the Public Liaison Office could pass that information on to groups who, if they were your allies, would try to help in that way. So that's one function and one thing that happens in kind of these big White House advocacy roles.

And now, it gets kind of to my point before about lobbying. Is that lobbying? I'd say it is. It's not called that by maybe a legal definition, but it certainly is and my sense is that it's kind of like campaign finance reform. People use the water balloon analogy. You kind of squeeze the system in one place and it kind of pops out somewhere else.

I think to the extent that direct lobbying is denigrated, restricted, regulated, you know, whatever is happening to it, what you're going to have is more of the system move into these kind of outside forms of advocacy. And just like when we passed campaign finance reform, it didn't mean the end of 527 organizations; it actually helped grow them. I think if you clamp down on direct lobbying too hard, what's going to happen is it's going to kind of emerge in other kind of venues like these advocacy groups.

MR. GRIFFIN: I think, George, our White House operates exactly the same. A public liaison person asked our cooperation, but we did not directly participate with those groups, except on occasion maybe to do an overall briefing.

I think whoever is elected is going to have to translate, in some fashion, this campaign rhetoric about lobbying into some circumscribed parameters of some sort. I don't know what that will be, but I gather it won't be as emotionally driven as the rhetoric, and that as they move into a governing strategy, that they'll find some kind of balance – or I don't know if it would be a balance – but they'll find a level that is not all or nothing. I don't know that for a fact, but I get a sense from some of the folks that talk about this over there that there's a distinction between the campaign and governing. There will be a measurable difference, but it won't be all or nothing.

MR. THURBER: Good. Gentlemen, thank you, and thank you for your questions. We're going to take a 10-minute break. We'll start exactly at 10:40 a.m. for the next panel. Thank you very much.

(Applause.)

(END)