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Good morning Chairman Connolly, Ranking Member Hice, and Government Operations Subcommittee Members. My name is Martha Joynt Kumar and I am an emeritus professor of political science at Towson University. In addition, I am the director of the White House Transition Project, a nonpartisan, nonprofit group of presidency scholars who are political scientists researching and writing about presidential transitions, White House operations, and presidential appointments. I also wrote a book about the 2008 transition, *Before the Oath: How George W. Bush and Barack Obama Managed a Transfer of Power*.

The Presidential Transition Act of 1963 and its amendments have a common thread: to reinforce the continuity that is so important to representative government and to prepare to respond to any threats from foreign powers and groups tempted to exploit a vulnerable time. The history of the original legislation first put forward by President Kennedy in 1962 and the seven amending bills is one of bipartisan agreement on the importance of presidential transitions and the need for Congress to respond to changing conditions in the transition environment.<sup>1</sup> As bitter as the current transition situation has been, for over almost sixty years there is an underlying acceptance by all parties as well as the presidents and the presidents-elect that transition planning is important to the effective operation of our government. There has not been a question about the validity of the 1963 Presidential Transition Act and its amendments. Questions instead focus on the declaration of when we have a President-elect, not the steps in the transition required by law.

***Transitions as Dangerous Times.*** Security threats during a transition have been a continuing concern memorialized in the purpose of the Act.<sup>2</sup> “The national interest requires that such transitions in the office of President be accomplished so as to assure continuity in the faithful execution of the laws and in the conduct of the affairs of the Federal Government, both domestic and foreign. Any disruption occasioned by the transfer of the executive power could produce results detrimental to the safety and well-being of the United States and its people.” Many of the dangers are ones where a President-elect is not familiar with the detailed background of issues prior to being formally briefed by the intelligence community and learns details of a building crisis. Andrew Card discussed such a situation during the 1992 transition from President George H. W. Bush to Bill Clinton. President Bush “asked me to make sure they [Clinton team] get a really good briefing on [the Haitian boatlift operation to the United States] because there was a lot of misinformation out there that had come out during the campaigns.”<sup>3</sup> The issue ended up becoming one that was more complicated than Clinton had anticipated during the campaign and took up more energy in his first year than he intended.<sup>4</sup> The same was true of President Bush’s December 1992 commitment of troops in an humanitarian United Nations mission in Somalia where starvation was a major issue. The mission bogged down in local power struggles and ended shortly after the October 1993 attacks on two Black Hawk helicopters in the capital city of Mogadishu, which left 18 U.S. troops dead.

Mack McLarty, who was Clinton’s designated chief of staff as they came into the White House in 1993, noted “one administration is not a clean book from one to the other, it is a continuum ... You inherit situations and then there’s going to be the UFOs, the Unforeseen

Occurrences that happen.”<sup>5</sup> Seemingly without warning, there are many instances of national security crises arising early in an administration often prior to a President having his Senate confirmed senior officials in place. A little more than a month after Clinton’s inauguration, terrorists attacked the World Trade Center in New York by exploding a truck bomb killing six. In addition to crises with a global reach, there are serious security dangers in a transition period occurring within the country. Two days after the World Trade Center incident, four Alcohol, Tobacco, and Firearms agents were killed in Waco, Texas while trying to serve a warrant on David Koresh, the leader of a religious group, the Branch Davidians. After a fifty day standoff, April 19<sup>th</sup> the situation spiraled out of control ending in a fire killing seventy-five people. Attorney General Janet Reno, who was sworn in on March 11, hardly had time once she came in to the Department of Justice to digest the situation in Waco that involved law enforcement officials in three offices in the Department of Justice: ATF, the FBI, and U.S. marshals.

National security dangers have also played out in the inauguration period itself. The weekend before the 2009 Inauguration, the intelligence community warned Bush and Obama about a potential terrorist attack. When President and Mrs. Bush welcomed the Obamas and Bidens to the White House before they left that morning for the capitol, the key national security officials for the two administrations were meeting in the Situation Room to discuss a threat to disrupt the inauguration. National Security Advisor Stephen Hadley commented that the attack most likely would have involved an explosive device: “It would have killed people.” While the threat “melted away,” he said, this incident and the ones cited earlier underscore the national security stakes in a transition and the need to prepare for it.<sup>6</sup>

Together, the experiences of recent administrations warn of the importance of preparing early and the need for the incoming team to receive national security information as soon as possible. Joshua Bolten, who served as Chief of Staff for President George W. Bush and ran the transition out of office for the President, discussed the importance of anticipating security crises. “Relatively speaking, we were prepared, but 9/11 gave us all a pretty pungent taste that even though we were relatively more prepared than some other incoming White House staff have been, we were not well prepared to deal with a crisis,” Bolten said. “9/11 gave us all the sense that a crisis was not only possible but also likely. So the mentality changed after 9/11, and I think everybody had thoughts about ‘what about the next guys.’” When the Bush administration prepared for their transition out of office, they paid attention to preparing their successors to meet a crisis. Bolten said, “As we worked to get ourselves prepared, what about making sure that the next guys were not as, candidly, ill prepared as we and all of our predecessors had been?”

***Who Built the Transition Framework and What Does the Law Provide?*** In the 58 years since the President and Congress formally considered transition legislation, the two branches have done so in a bipartisan manner. As the stakes in a “smooth transition” increased, they extended the funds, the resources, and the government institutions involved in transitions as well as lengthening the time transition funds flow. The General Services Administration was the lead transition institution in 1964, but now a presidential transition is an all-of-government operation with the President playing a lead role along with his departments and agencies. Changes in the political environment, national security concerns, transition experiences, and the increase in the complexity of government all have played into the development of the current shape of transition planning. The two branches have constructed a transition framework that now moves up the

clock to after the major party nominating conventions convene and provides funds to both party candidates, not just a President-elect. Laws also provide for an information structure that calls upon the President to create a council setting transition policy for departments and agencies.

Before the Presidential Transition Act was signed into law in 1964, political parties funded transition resources for the President-elect, but presidents were not required to gather and provide information for their successors nor, as remains the case, were candidates obliged to accept administration help. In the post-World War II period it was President Truman who set the goal of a “smooth transition” to power. It was on his twelfth day in office in a briefing given by Secretary of War Henry Stimson that President Truman first learned of the Manhattan Project to construct an atomic bomb. When he announced on March 29, 1952 that he would not run again, the following day he gathered his staff and told them: “Now, whoever’s elected this fall, whether he be a Republican or a Democrat, I don’t want him to face the kind of thing that I faced when I came into office in 1945, completely unbriefed and unprepared....I want this to be a smooth transition.”<sup>7</sup> With a ‘smooth transition’ his goal, in August 1952 Truman suggested to presidential candidates Dwight Eisenhower and Adlai Stevenson that they individually come to the White House to get a CIA briefing, have lunch with the Cabinet, meet with White House staff, and ask any questions they like.<sup>8</sup> While Eisenhower turned down the invitation believing it was a conflict with his role as the Republican candidate, he did accept the CIA briefings as the information he needed.<sup>9</sup> Stevenson attended both the White House meetings and the CIA sessions.

*The Presidential Transition Act of 1963 Provides for “Access” and “Cooperation” and Guards Against “Noncooperation.”* Representative Dante Fascell, D-Florida), the House sponsor and floor manager for the presidential transition bill introduced in 1962 and then again in 1963, explained in his statement to a subcommittee of the Committee on Government Operations the importance of the bill. He stated that “both President-elect Eisenhower and President-elect Kennedy were given the cooperation of their predecessors and access to what information they needed. This is as it should be. But the time has come to formalize the process. That is the purpose of this bill. To leave these matters to the discretion of the existing President and the President-elect could conceivably have unfortunate results – especially if the incumbent was defeated by the President-elect in a hard fought campaign. Let us guard against the possibility of noncooperation, remote as it may be.”<sup>10</sup>

The legislation signed in 1964 provided \$900,000 each for the incoming and outgoing presidents, office space, staff support, transportation, and services. The GSA administrator was assigned the duty to “ascertain” the “apparent successful candidates for the office.” The ascertainment language was drawn from a 1962 law providing for protection for the President and Vice President.<sup>11</sup> Fascell explained the appropriateness of the language for the transition legislation. “The Secret Service and the Secretary of the Treasury have had absolutely no difficulty in determining who the President-elect and the Vice President-elect might be, so far as carrying out the administrative duties under that law is concerned. Therefore, I do not see why the General Service Administrator should have any difficulty under the pending legislation.”<sup>12</sup> What was seen as an administrative decision for the Secret Service was viewed as equally applicable to the General Services Administration decision of when to provide services and resources to a President-elect.

*Subsequent PTA Amendments Broaden the Number of Officials with the Transition Clock Moving Up to After the Party Nominating Conventions.* The transition focus of “cooperation” and “access” have remained a central thread through the succeeding 56 years. Subsequent legislation dealt with issues of how to effectively make sure those goals are realized. Public funding did not cover the costs resulting in presidents-elect raising private funds. As private funding grew, in the Presidential Transitions Effectiveness Act of 1988 Congress required reporting of private funds, including in kind contributions. Gradually additional government officials and departments and agencies got involved in transition planning. President Clinton entered into the transition arena when in November 2000 he issued an executive order creating a Presidential Transition Coordinating Council that brought together government departments and agencies central to a transition. Additionally, in working with the theme of “access,” the order provided for specific kinds of information to be provided by GSA, the Office of Personnel Management and the National Archives.

*The 2000 Election and the 2001 Terrorist Attacks Expose Transition Failures.* While President Clinton provided a council to establish White House policy, there was no declaration of a winner by the GSA administrator until after the Supreme Court made its decision in *Bush v. Gore* on December 12 followed by Vice President Gore’s concession the following day and then the administrator’s declaration of George Bush as the President-elect. The lack of a decision on the fate of Florida’s electoral votes left George W. Bush having no access to government office space or services, no government funding, and no cooperation with the Clinton administration on materials prepared by the departments and agencies. Andrew Card, the incoming chief of staff, indicated, however, that by the last week of November, President Clinton provided that Bush receive the President’s daily intelligence briefing.<sup>13</sup> In a corrective action, in 2010 Congress and the President settled on some remedies for future deadlocked situations. Legislation moved up the time when major party candidates could receive office space, some resources and information to after both parties nominated their candidates.

The September 11<sup>th</sup> attacks exposed the leadership vacancies that existed in the national security area. The 9/11 Commission pointed to a lack of confirmed officials at the department and agency leadership levels and called for early national security clearances for those working for the President-elect. The 2004 Intelligence Reform and Terrorism Prevention Act calls for the major party candidates to put in the names of people they want to have work on their transition should they become President-elect. That way, the people working on the agency review teams can go into the departments and agencies to pick up materials prepared for them. The Obama transition teams took advantage of the opportunity to get early security clearances and began their work gathering information the day following the election.

The latest major elements filling in the structural framework come out of the 2015 *Edward “Ted” Kaufman and Mike Leavitt Presidential Transition Improvement Act* that calls for the creation of a White House Transition Coordinating Council to develop transition policy and an Agency Transition Directors Council made up of representatives of the 15 departments and transition-related agencies to carry it out the policies. They are formed six months prior to a presidential election. The Presidential Transition Enhancement Act of 2019 is a “fix-it” bill addressing items requiring further definition, such as the enforcement requirement for a President-elect’s ethics plan, a succession plan in place by September 15 for replacing political

appointees with career employees when the political appointees leave. The due date for the memorandum of understanding between the federal government and the candidates was moved from November 1 to October 1. In 2020, all of the information gathering and the required institutional steps were completed well before the election, but with no post-election ascertainment by the GSA administrator, the Biden agency review teams composed of several hundred people were barred from accessing the materials and talking to people holding positions. Until recently, Biden was kept from getting the types of briefings that Truman had the Central Intelligence Agency provide Dwight Eisenhower after his nomination in July 1952 as the presidential candidate of the Republican party.

*The Place of Tacit Understandings in Presidential Transitions.* In addition to transition law, presidential transitions have benefitted from tacit understandings about the presidency as an institution. Until this year, incumbent presidents who lost their campaigns for reelection, have quickly conceded their loss and, secondly, called upon their staffs to pave a smooth road for the President-elect and his team. George H. W. Bush, our most recent one-term President who ran for reelection, instructed his White House senior staff the day following his 1992 defeat to “be helpful and leave no ticking time bombs for the incoming Clinton administration,” according to his White House economic and domestic policy adviser, Roger Porter.<sup>14</sup> “The voters have spoken, and our job is not to make the task of the incoming administration more difficult than it would otherwise be,” he told his aides. In addition to providing briefings on key subjects such as the Haitian boatlift crisis, Bush went beyond the requirements of the law in other ways as well.

One of the most significant actions a sitting President can take to help his successor get off to a clean start is to dismiss all of the officials he appointed to political positions. That way an incoming President can start off with his own team and not have to spend his early days firing people. Andrew Card explained how President George H. W. Bush handled the issue. He called Warren Christopher who was handling the transition for President Clinton and, on President Bush’s instruction, asked him if they would like for Bush officials to clear out political appointees or would the Clinton team prefer to do it when they come in? As happens with most administrations, the Clinton transition staff wanted offices cleared out with a few exceptions. “You give us the names and we’ll handle it the way you tell it,” Card said. He then asked for resignations or told appointees “the President-elect is likely to want you to stay on for a while. Will you stay?”<sup>15</sup>

The 2008 transition is viewed as an ideal one in part because of the tacit understanding on both sides that transitions make a difference to the foundation of a presidency. In late 2007 President Bush told Joshua Bolten: “Go all-out to make sure that the transition is as effective as it possibly can be, especially in the national security area.”<sup>16</sup> To that end, Bolten took actions that brought about a smooth transition, but were not required by law. In summer 2008, Bolten brought into the White House representatives of the presumptive candidates, John McCain and Barack Obama. Bolten gave the green light to having the candidates put in names for FBI clearances for their agency review team members and those who would be working on the transition should they win the election. The representatives also worked on a required memorandum of understanding that would govern the interactions between the transition team members and the federal government. There was nothing in transition law requiring, or even suggesting, such work but it was important for the quality of the Obama transition into office.

In that final year of the George W. Bush administration, National Security Advisor Steve Hadley also began early transition work with the preparation of memoranda detailing issues and countries important to those working in the NSC in the next administration. Following the election, there were sessions between the incoming and outgoing members of the national security teams where sitting side-by-side the Obama officials could ask questions of their counterparts. One of incoming staff members discussed how important these principal-to-principal sessions were to understanding the NSC operations they would be involved in. “A lot of it [the discussion] was this kind of back-and-forth conversation, which I found was very useful, just because you could have more give and take. You got a better understanding of where they were coming from.”<sup>17</sup>

***Early Preparations Make a Difference in a Stalled Transition: George W. Bush and Joseph Biden.*** With administrator Emily Murphy not ascertaining Joseph Biden as the President-elect, the Biden team could not get into the departments and agencies to get the materials that Biden’s agency review teams were ready to receive as well as talk to people there. The materials were ready as was the memorandum of understanding between Biden team and the GSA that governs the use of the materials. The work with the Office of Government Ethics was also at a halt. People coming into the administration must file financial disclosures forms providing information on their assets and then work through with OGE any conflicts of interest they may have. But no work could begin there either. Additionally, and perhaps most important, Biden was not provided with the President’s Daily Brief. Knowing the background of the multiple decisions President Trump is making withdrawing troops from Afghanistan, Iraq and Somalia is important for the policies Biden is considering. Knowing what problems and issues the departments are dealing with is important for a President-elect as he chooses appointees for foreign policy and national security positions. A President needs people in place who are appropriate to handle current matters.

With all of these roadblocks, Joseph Biden took a page from the 2000 transition and the way in which George W. Bush prepared for office prior to the Supreme Court decision on the Florida election ending the recount and two days later on December 14<sup>th</sup> when GSA administrator, David Barram, turned over the office space to the Bush team. Both Bush and Biden were stalled for weeks from receiving the information and materials developed for them and their staffs. Bush had 37 transition days before his inauguration on January 20<sup>th</sup> and Biden has 57; far from the normal approximately 75 days. Yet both developed strategies that ameliorated their situations.

Interestingly, Biden has taken many of the same steps as he set up his campaign for governing and then added ones of his own. First, in their campaigns both Biden and Bush focused on a digestible number of issues that they could translate into governing priority proposals. Bush settled on his priority initiatives and then constructed a rollout that focused on a one-a-week basis. Once Bush came into office, his first week was education as action on the issue had bipartisan support. To emphasize the bipartisan nature of his initiative, he brought into the administration’s planning Senator Ted Kennedy who was the ranking minority member on the Senate Education Committee and Representative George Miller who held a similar position in the House. Each subsequent week had a theme that the President resonated with his own appearances and those of officials close to him. While he came into office with 47.9% of the vote

to Gore's 48.4%, after his early days in office he had a Gallup job approval rating of 57%. Looking ahead to the substance of his presidency rather than behind to his election worked well for Bush and is lining up in a positive way for Biden. Both men focused on what lies ahead of them rather than election results.

For his part, Biden focused on three main issues during his campaign: controlling the COVID-19 virus, planning for an economic recovery, and dealing with racial justice issues that became so prominent over the summer. Like Bush, he stressed that he planned to be President of all the people, not just his party. He continued the virus theme by appointing a virus task force as an early transition action.

Second, both Bush and Biden focused first on constructing a White House prior to choosing their Cabinet secretaries and announcing their policy initiatives. First came their chiefs of staff as the chief is key to the creation of a presidential decision-making structure. What kinds of information does a President want, in what forms? The White House Bush constructed gave him a quick start moving away from the election and towards governing. Both presidents-elect chose a balanced staff that included people who knew them well, others who knew the campaign, people who had substantive knowledge in the areas of foreign, national security, economic and domestic policy. Additionally, many knew the rhythms of a White House as White Houses tend to be more similar than they are different. Finally, both men hired staff in leadership positions who knew the Washington community, including Congress, the bureaucracy, the media, interest groups. From Biden's early hire of Ron Klain, who served as chief of staff for both Al Gore and Joe Biden, Biden has signaled that knowledge are important as he construct his White House and his departments. By appointing Andy Card as his chief of staff, Bush sent a similar signal.

Third, Bush and Biden set up functioning personnel systems well before the election. Choosing personnel involves creating an online system to handle several hundred thousand resumes, which Bush was the first President to introduce one. It does not go public, though, until the candidate becomes the President-elect. Now that candidates can clear their agency review teams prior to the election, the personnel system is one of the first parts of a transition operation to get attention. While the Biden team had a personnel operation, staff were not allowed to work with the Office of Government Ethics on financial disclosures, which slows down the appointments process and leaves vacancies in the early days. As the appointment process has become more complicated than it was prior to the financial disclosure regulations, law practices have created specialties in confirmation advice. Additionally, the Partnership for Public Service has a "Ready to Serve" tutorial that helps potential nominees become familiar with the appointments process and what they will need to know.

Fourth, instead of acquiring information from inside the government as the law intended and the Trump administration prevented, Biden's team worked from the outside in. One of the hallmarks of the Trump administration is the comparatively high turnover of officials appointed to political positions. The staff at the top of the White House leadership team carry the title Assistant to the President with only 25 people having the title at a time. With 80 people having been appointed to Assistant positions, potentially there are 55 people who are no longer serve in the White House and therefore free to talk to Biden's people who can approach them to discuss administration actions from a White House level.<sup>18</sup> In looking at a broader group of top officials



that she titles the “A Team,” Kathryn Dunn Tenpas found that his turnover in 65 Executive Office of the President positions has been 91% and that 11 of the 15 Cabinet departments have had multiple secretaries.<sup>19</sup> Second, there are many groups that regularly interact with Trump White House officials on fundamental policy issues. Among the groups are the Chamber of Congress, the Heritage Foundation, and Club for Growth. White House officials can’t limit the contacts of the Biden transition teams as they develop outside information sources with inside knowledge.

Fifth, both teams worked early building relationships with key government players outside of the executive branch, particularly Congress. While Biden spent 35 years in the Senate, building relationships will require work as only 18 of the 48 Democrats and 13 of the 52 Republicans currently in office were there when Biden left the Senate in 2008. Vice President Richard Cheney, who headed the Bush transition, put primary attention on building relationships with his former colleagues. Since the election Biden has made and taken calls from members of both parties to discuss their road ahead.

Dante Fascell’s goal of institutionalizing a transition process based on access and cooperation has worked for almost all the presidential transitions since the Presidential Transition Act became law in 1964. Congress and the President recognized then and continue to acknowledge the importance of an effective transition to a good start for a new President and his team. Having a well-organized operation developed early in the election year benefits a President. Organizing early with an experienced and knowledgeable staff, an incoming President can seize the political momentum and establish his brand of leadership at a time when the public is paying attention. Barack Obama started with his early legislative signings, such as the Lilly Ledbetter Fair Pay Act and, to deal with the disrupted economy, the American Recovery Act. George W. Bush had a strong policy start even with a truncated transition of 37 days. Transition law has provided presidents opportunities to gather information they need to enable them to deal with national security challenges that inevitably arise in the early days of their administrations. With a late start to the 2020 transition during a time of the spread of the COVID-19 virus and with an economic crisis as well, we may be at a point for Congress to revisit transition laws and assess where there are needs for legislative fixes.

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<sup>1</sup> Listed here are the basic pieces of legislation relating to presidential transitions as well as the executive orders issued by Presidents Clinton, George W. Bush, and Barack Obama relating to the 2000, 2008, and 2016 presidential transitions. Additionally, the Intelligence Reform and Terrorism Prevention Act of 2004 contains provisions connected to national security clearances.

\*Presidential Transition Act of 1963 [PTA] Public Law [PL] 88-277 signed by President Johnson on March 7, 1964.

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- \*Presidential Transitions Effectiveness Act of 1988 as amended PL 100-398 Signed by President Reagan on August 17, 1988.
  - \*Presidential Transition Act of 2000 PL 106-293 Signed by President Clinton on October 13, 2000.
  - \*Executive Order 13176 Facilitation of a Presidential Transition, signed by President Clinton on November 27, 2000.
  - \*PL 108-458 Intelligence Reform and Terrorism Prevention Act, [amended in part by PL 111-283 October 15, 2010, Sections 7601 and 8403(b)], signed by President Bush December 17, 2004.
  - \*Executive Order 13476 Facilitation of a Presidential Transition, signed by President George W. Bush October 9, 2008.
  - \*Pre-Election Presidential Transition Act of 2010 [PEPTA] PL 111- 283. Signed by President Obama on October 15, 2010.
  - \*The Edward “Ted” Kaufman and Michael Leavitt Presidential Transitions Improvement Act of 2015 PL 114-136, signed by President Obama March 28, 2016.
  - \*Executive Order 13727 Facilitation of a Presidential Transition, signed by President Barack Obama May 6, 2016. \*Presidential Transition Enhancement Act of 2019 PL 116-121 signed by President Trump April 3, 2020. \*\*“Memorandum for the Heads of Executive Departments and Agencies” issued by Acting Office of Management and Budget Director Russell Vought, describing the mandated actions the units must take as prescribed by the amendments to the Presidential Transition Act of 1963., April 27, 2020. Most actions are required by the Presidential Transitions Improvement Act of 2015.

<sup>2</sup> The 1963 President Transition Act in Section 2 provides: “The Congress declares it to be the purpose of this Act, to promote the orderly transfer of the executive power in connection with the expiration of the term of office of a President and the inauguration of a new President. The national interest requires that such transitions in the office of President be accomplished so as to assure continuity in the faithful execution of the laws and in the conduct of the affairs of the Federal Government, both domestic and foreign. Any disruption occasioned by the transfer of the executive power could produce results detrimental to the safety and well-being of the United States and its people.”

<sup>3</sup> Interview, Andrew Card, November 11, 2020.

<sup>4</sup> Kurt M. Campbell and James B. Steinberg, *Difficult Transitions: Foreign Policy Troubles at the Outset of Presidential Power* (Washington, DC: Brookings Institution Press, 2008) 123-124.

<sup>5</sup> Interview, Thomas “Mack” McLarty, November 10, 2020.

<sup>6</sup> Martha Joynt Kumar, *Before the Oath: How George W Bush and Barack Obama Managed a Transfer of Power* (Baltimore, MD: Johns Hopkins University Press, 2015, 11.

<sup>7</sup> Kumar, 179.

<sup>8</sup> Kumar, 17.

<sup>9</sup> Kumar, “I believe our communications should be only those which are known to all the American people. Consequently I think it would be unwise and result in confusion in the public mind if I were to attend the meeting in the White House to which you have invited me,” 17.

<sup>10</sup> H.R. 12478 Presidential Transition Act of 1962, Executive and Legislative Reorganization Subcommittee of the Committee on Government Operations, September 18, 1962, 4.

<sup>11</sup> Public Law 87-829 [HR 6691] Section 871 (b). “The terms ‘President-elect’ and ‘Vice-president-elect’ as used in this section shall; mean such persons as are the apparent successful candidates for the offices of President and Vice President, respectively, as ascertained from the results of the general elections held to

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determine the electors of President and Vice President in accordance with title 3, United States Code, sections 1 and 2.”

<sup>12</sup> Dante Fascell, House of Representatives, *Congressional Record*, July 25, 1963, page 13348.

<sup>13</sup> Interview, Andrew Card, November 11, 2020.

<sup>14</sup> Interview, Roger Porter, November 11, 2020.

<sup>15</sup> Interview, Andrew Card, November 11, 202

<sup>16</sup> As quoted in Kumar, 72.

<sup>17</sup> As quoted in Kumar, 180.

<sup>18</sup> Martha Joynt Kumar, Assistant to the President database for Presidents Reagan - Trump.

<sup>19</sup> Kathryn Dunn Tenpas, “Tracking Turnover in the Trump Administration,” Brookings Institution, <https://www.brookings.edu/research/tracking-turnover-in-the-trump-administration/>