

Can the New Appointees Do Their Jobs?

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People wait in the hallway outside of the Senate Chamber in Washington, on March 24, 2020. Chip Somodevilla/Getty Images



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12/4/2024 Updated: 12/4/2024

AA Print

Commentary

There are some very exciting choices among President-elect Donald Trump's new appointees. There is a serious question, however: Will they be permitted to do their jobs?

Imagine yourself at the pinnacle of your professional career, following a lifetime of hard work and research. A new president has tapped you to head a major agency with thousands of employees and a budget of many billions. You bring trusted associates with you. You get the best parking place, the biggest office, and your picture is on every wall on every floor.

There's just a slight problem. You don't have any idea what's going on at this agency. You only know two things: the public despises this agency and you have a mandate to change directions. Many of the employees never show up for work. The parking lot is mostly empty. Remote work is a habit born of COVID-19 that never went away.

The money comes and goes and no one really tracks it. Processes and box-checking rule everything. Each time you try to make some change, you suddenly feel as though you are in an episode of "Yes, Minister." Every change means spending more money. Everyone smiles at you in the hallway but you know the truth. There are only two kinds of employees, those who ignore you and those who despise you.

Complicating the picture is the fact that you never even see these people, so meetings have to be on Zoom, and those are arranged only through multiple layers of administrative assistants. Day one comes and goes. Then another week. Another month. Another year. At some point, you dread even coming in. You know for sure that the tenure there is good for your career, provided you stay out of harm's way, which of course means the media. Your goal is to survive.

Later some publisher comes to you and asks you to memorialize your tenure. The last thing you are willing to write is that you had no impact on anything. So you come up with various tales of this or that. But in your heart, you know that nothing much really happened. It could never be otherwise because you were never really in charge. The agency ran on its own. You were in the way, at best.



My friends, it's been this way for many decades. I've known some of these appointees, some great people among them. Government agencies are where dreams go to die.

I think often of my friend Jack Kemp, who was a wonderful football player who retired from the game and then read up on economics and human freedom and fell in love with an idea. His ambition was to liberate the country from the burdens of bureaucracy and the dependency state. He ended up in politics and then, later, as secretary of the Department of Housing and Urban Development (HUD). I followed his time there closely but it was never anything but maddening.

He knew it and I knew it: He was never anything other than a photograph on the wall to which the careerists never paid any attention. He tried very hard when he headed HUD from 1989 to 1993. He was determined to leave a lasting mark on the agency and privatize the nation's stock of public housing while creating enterprise zones in every city. What he ended up doing instead was spending more money than ever.

This is my main concern about such appointments. We struggle to remember any tenure at a government agency over many decades that can be judged as a grand success. The agencies are set up to resist any change.

We have a new crop of appointees right now headed to Washington. The hopes of an entire nation are with them. Many people the world over are wishing them well. However, they are more than aware of the challenges they face.

They know that getting such an appointment is a moment of high prestige, but they also know that they will immediately confront thousands of employees who despise them and the administration for which they work. They will pull all the old tricks to foil any change. But isn't that a firing offense? In bureaucracy there is no such thing.

Unlike every job in the private sector, employees within the federal civil service can only be terminated with cause, such as gross incompetence or abuse. In practice, it just doesn't happen. More specifically, the turnover rate in the civil service is 0.4 percent as compared with 5 percent to 10 percent in the private sector.

The bottom line is that these new department heads are not really in charge. They cannot be. It's because they cannot do what Elon Musk did when he bought Twitter: order new leadership and replace staff that are either non-performing or performing tasks that need to be eliminated. There can be no consolidation or modernization. There is no applying the hot foot to get things done because people only do what is in their job descriptions, which you don't even have the power to change.

The terrible secret of government is that the names on the placards are mostly for looks. It's been true for all of our lives because what is called the civil service is one of the most protected and secure lines of work available anywhere. Everyone knows this. The benefits are huge, the salaries high, the work demands low, and the retirement packages are extremely impressive if you stay there long enough.

To be sure, most people in the federal workforce are deeply unhappy. Every business survey shows this, and you know it from just having a few conversations at lunch time if you happen to catch any employees at the park taking their lunch hour. They don't like their lives, but they fear their lives outside of this cocoon of government employment even more.

It wasn't always this way. From the time of the establishment of the federal government in 1789 to a century later—an era that yielded the highest rates of economic growth ever seen until that point in history—government employment was just like that in the private sector. You worked until conditions changed and then you could get terminated. Everyone knew that the new administration would move old people out and new people in.

That stands to reason, because this is a democracy with republican institutions. That is to say, the people are in charge, not the bureaucrats. When the people vote for new management and new institutions, they get their way. That's because the people are sovereign under law.

In 1883, the civil service was invented. The idea was that government in a scientific age needed real experts in charge. Those are not the same as the people who are hired by whatever politician happened to win the presidency. We needed scientists, people with real experience, non-political and dispassionate workers within the system. That's the only way to build a great government rather than one that bounds from one upheaval to another.

The idea works on paper. In practice, this notion can get out of hand. Truly you can wreck any institution on earth by granting its workers permanent status. And this is what happened over the course of many wars and crises. The agencies grew in manpower, budgets, and influence.

The new administration is going to undertake some efforts to shake things up in federal employment practices. This is long overdue. One method is known as Schedule F, which would reclassify policy-focused employees as subject to new standards and possible termination. There is nothing radical in this idea. Trump passed this as an executive order in the two weeks before his last term. This was immediately reversed by Biden.

Certainly, Schedule F will return but the reforms we really need are much more broad. The entire notion of the civil service needs a total overhaul, and it needs to happen from day one. Otherwise these earnest new appointees will show up and be unable to do their jobs. It's too late in the day for such fussing around. We need dramatic change in the functioning of government itself to restore it to conform to the Constitution.

There is no fourth branch of government in the Constitution. There are only three, and the chief executive needs to be in charge of all

agencies that survive much-needed cuts. Otherwise, we are going to have another crop of excellent professionals come and go, reduced again to photographs on the wall.

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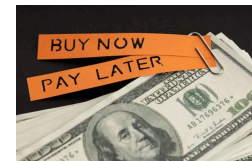


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